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THE REPUBLICATION, in its entirety, of the *War of the Rebellion: Official Records of the Union and Confederate Armies,* is a service project undertaken by the National Historical Society in the interest of libraries and scholars who have long needed a reissue of this indispensable work. Each of the 128 volumes is published in full, including the *Index,* and all are heavily bound in buckram for long and continued use. This and other volumes of the set are available only from the National Historical Society.

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THE

WAR OF THE REBELLION:

A COMPILATION OF THE

OFFICIAL RECORDS

OF THE

UNION AND CONFEDERATE ARMIES.

PUBLISHED UNDER THE DIRECTION OF

The Hon. ELIHU ROOT, Secretary of War,

BY

BRIG. GEN. FRED C. AINSWORTH,

CHIEF OF THE RECORD AND PENSION OFFICE, WAR DEPARTMENT,

AND

MR. JOSEPH W. KIRKLEY.

SERIES III—VOLUME III.

WASHINGTON:

GOVERNMENT PRINTING OFFICE.

1899.

PREFACE.

The work of preparing the records of the war for public use was begun, under the resolution of Congress of May 19, 1864, by Col. E. D. Townsend, assistant adjutant-general, U. S. Army (then in charge of the Adjutant-General's Office, and subsequently the Adjutant-General), who caused copies to be made of reports of battles on file in his office and steps to be taken to collect missing records.

Under the provisions of joint resolution of July 27, 1866, Hon. Peter H. Watson was appointed to supervise the preparation of the records and to formulate a plan for their publication, but he performed no service under this appointment, which expired July 27, 1868, by limitation. This resolution having also repealed the former one, the project was suspended for the time being.

The first decisive step taken was the act of June 23, 1874, providing the necessary means "to enable the Secretary of War to begin the publication of the Official Records of the War of the Rebellion, both of the Union and Confederate Armies," and directing him "to have copied for the Public Printer all reports, letters, telegrams, and general orders, not heretofore copied or printed, and properly arranged in chronological order." Appropriations have been made from time to time for continuing such preparation. Under this act the preliminary work was resumed by General Townsend.

Subsequently, under meager appropriations, it was prosecuted in a somewhat desultory manner by various subordinates of the War Department until December 14, 1877, when the Secretary of War, perceiving that the undertaking needed the undivided attention of a single head, detailed Capt. Robert N. Scott, Third U. S. Artillery (subsequently major and lieutenant-colonel same regiment), to take charge of the office.

The act of June 23, 1874, enlarged upon the first scheme of publication. On this more comprehensive basis it was determined that the volumes should include not only the battle reports, correspondence, etc., in possession of the War Department, but also "all official documents that can be obtained by the compiler, and that appear to be of any historical value." Colonel Scott systematized the work, and, upon his recommendation, the Secretary of War approved the following order of publication:

The first series will embrace the formal reports, both Union and Confederate, of the first seizures of United States property in the Southern States, and of all military operations in the field, with the correspondence, orders, and returns relating specially thereto, and, as proposed, is to be accompanied by an Atlas.

In this series the reports will be arranged according to the campaigns and several theaters of operations (in the chronological order of events), and the Union reports of any event will, as a rule, be immediately followed by the Confederate accounts. The correspondence, etc., not embraced in the "reports" proper will follow (first Union and next Confederate) in chronological order.

The second series will contain the correspondence, orders, reports, and returns, Union and Confederate, relating to prisoners of war, and (so far as the military authorities were concerned) to state or political prisoners.

The third series will contain the correspondence, orders, reports, and returns of the Union authorities (embracing their correspondence with the Confederate officials) not relating specially to the subjects of the first and second series. It will set forth the annual and special reports of the Secretary of War, of the General-in-Chief, and of the chiefs of the several staff corps and departments; the calls for troops, and the correspondence between the National and the several State authorities.

The fourth series will exhibit the correspondence, orders, reports, and returns of the Confederate authorities, similar to that indicated for the Union officials, as of the third series, but excluding the correspondence between the Union and Confederate authorities given in that series.

The first volume of the records was issued in the early fall of 1880. The act approved June 16, 1880, provided "for the printing and binding, under direction of the Secretary of War, of 10,000 copies of a compilation of the Official Records (Union and Confederate) of the War of the Rebellion, so far as the same may be ready for publication, during the fiscal year;" and that "of said number 7,000 copies shall be for the use of the House of Representatives, 2,000 copies for the use of the Senate, and 1,000 copies for the use of the Executive Departments." Under this act Colonel Scott proceeded to publish the first five volumes of the records.*

*All subsequent volumes have been distributed under the act approved August 7, 1882, which provides that:

"The volumes of the Official Records of the War of the Rebellion shall be distributed as follows: One thousand copies to the Executive Departments, as now provided by law. One thousand copies for distribution by the Secretary of War among officers of the Army and contributors to the work. Eight thousand three hundred copies shall be sent by the Secretary of War to such libraries, organizations, and individuals as may be designated by the Senators, Representatives, and Delegates of the Forty-seventh Congress. Each Senator shall designate not exceeding twenty-six, and each Representative and Delegate not exceeding twenty-one, of such addresses, and the volumes shall be sent thereto from time to time as they are published, until the publication is completed. Senators, Representatives, and Delegates shall inform the Secretary of War in each case how many volumes of those heretofore published they have forwarded to such addresses. The remaining copies of the eleven thousand to be published, and all sets that may not be ordered to be distributed as provided herein, shall be sold by the Secretary of War for cost of publication with ten per cent. added thereto, and the proceeds of such sale shall be covered into the Treasury. If two or more sets of said volumes are ordered to the same address, the Secretary of War shall inform the Senators, Representatives, or Delegates who have designated the same, who thereupon may designate other libraries, organizations, or individuals. The Secretary of War shall report to the first session of the Forty-eighth Congress what volumes of the series heretofore published have not been furnished to such libraries, organizations, and individuals. He shall also inform distributees at whose instance the volumes are sent."

Colonel Scott died March 5, 1887. At his death some twenty-six books only had been issued, but he had compiled a large amount of matter for forthcoming volumes; consequently his name as compiler was retained in all the books up to and including Vol. XXXVI, although his successors had added largely to his compilations from new material found after his demise.

The Secretary of War, May 7, 1887, assigned Lieut. Col. H. M. Lazelle, Twenty-third U. S. Infantry, to duty as the successor of Colonel Scott. He had continued in charge about two years, when, in the act approved March 2, 1889, it was provided—

> That hereafter the preparation and publication of said records shall be conducted, under the Secretary of War, by a board of three persons, one of whom shall be an officer of the Army, and two civilian experts, to be appointed by the Secretary of War, the compensation of said civilian experts to be fixed by the Secretary of War.

The Secretary of War appointed Maj. George B. Davis, judge-advocate, U. S. Army, as the military member, and Leslie J. Perry, of Kansas, and Joseph W. Kirkley, of Maryland, as the civilian expert members of said board. The board assumed direction of the publication at the commencement of the fiscal year 1889, its first work beginning with Serial No. 36 of Vol. XXIV.

July 1, 1895, by direction of the Secretary of War, Maj. George W. Davis, Eleventh U. S. Infantry (subsequently lieutenant-colonel Fourteenth U. S. Infantry), relieved Maj. George B. Davis as the military member and president of the Board of Publication. Subsequently Col. Fred C. Ainsworth, Chief of the Record and Pension Office, War Department, was appointed the military member and president of the board, relieving Lieut. Col. George W. Davis June 1, 1898.

December 1, 1898, under the provision of the sundry civil act of July 1, 1898, relative to the War Records Office, the Board of Publication was dissolved, whereupon, by direction of the Secretary of War, the continuance of the work, beginning with Vol. VI, Series II, devolved on Colonel (now Brigadier-General) Ainsworth.

By operation of law (contained in "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900," approved February 24, 1899), the War Records Office was merged into the Record and Pension Office, July 1, 1899, and since that date the work of publication has been conducted under the supervision of the chief of that office.

Each volume includes a copious index, and for the further convenience of investigators there will be, in addition, a separate general index to the entire set.

Nothing is printed in these volumes except duly authenticated contemporaneous records of the war. The scope of the compiler's work is to decide upon and arrange the matter to be published; to correct and verify the orthography of the papers used, and, wherever deemed necessary, to add a foot-note of explanation.

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SERIES III.—VOL. III.

CORRESPONDENCE, ORDERS, REPORTS, AND RETURNS OF THE UNION AUTHORITIES FROM JANUARY 1 TO DECEMBER 31, 1863.*

WAR DEPARTMENT,
OFFICE OF CONSTRUCTION AND TRANSPORTATION
OF U. S. MILITARY RAILROADS,
Washington, January 1, 1863.

The following is published for the information of all parties interested therein:

The construction and operation of military railroads in Virginia will be separated, and each placed in charge of an officer as engineer or superintendent.

A. Anderson is hereby announced as chief engineer of the military railroads of Virginia; John H. Devereux as superintendent of the military railroads which terminate at Alexandria, with their connecting roads; James J. Moore as engineer of repairs of the same; William W. Wright as superintendent and engineer of repairs of the military railroad which terminates at Aquia Creek; E. L. Wentz as superintendent and engineer of repairs of the Norfolk and Petersburg and Seaboard and Roanoke Railroads.

Engineers and superintendents are authorized to engage the services of all persons for whose acts they are held responsible, and may dismiss subordinates when, in their judgment, the interests of the service will be promoted thereby. They will be held strictly accountable for the results of their operations.

In general, appointments must be filled by those who are at the time, or who have previously been, in the military railroad service, and, other things being equal, those longest in the service will have preference. It must not be understood, however, that priority of appointment will give an individual precedence over those of superior merit or efficiency.

The superintendent and engineer on each road must decide questions that arise, but if parties consider themselves aggrieved by said decisions they may appeal to the military director.

The rate of compensation of all employés will be fixed by the military director, and engineers and superintendents will be required to report monthly the names, duties, and compensation of all subordinate officers and artificers and the number and pay of all laborers employed by them, and on what work employed.

Forms will be furnished by the military director.

As soon as found practicable, the existing rules, regulations, and orders having reference to the operation of military railroads will be

* For all documents relating to the organization of troops on the Pacific Coast, &c., see Series I, Vol. L.

revised and reprinted. Engineers and superintendents can present any suggestions in regard to the organization or for promoting the efficiency of the service that they may deem expedient.

D. C. McCALLUM,
Col. and Military Director and Supt. U. S. Military Railroads.

H. HAUPT,
Brig. Gen. and Chief of Construction and Transportation.

GENERAL ORDERS, No. 1. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, January 2, 1863.*

The following proclamation by the President is published for the information and government of the Army and all concerned:

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

Whereas, on the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation was issued by the President of the United States, containing, among other things, the following, to wit:

"That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever, free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

"That the Executive will, on the first day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be in good faith represented in the Congress of the United States, by members chosen thereto at elections wherein a majority of the qualified voters of such States shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are not then in rebellion against the United States."

Now, therefore, I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as Commander-in-Chief of the Army and Navy of the United States, in time of actual armed rebellion against the authority and Government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and in accordance with my purpose so to do, publicly proclaimed for the full period of one hundred days from the day first above mentioned, order and designate as the States and parts of States wherein the people thereof, respectively, are this day in rebellion against the United States, the following, to wit:

Arkansas, Texas, Louisiana (except the parishes of Saint Bernard, Plaquemines, Jefferson, Saint John, Saint Charles, Saint James, Ascension, Assumption, Terre Bonne, La Fourche, Saint Mary's, Saint Martin's, and Orleans, including the city of New Orleans), Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia (except the forty-eight counties designated as West Virginia, and also the counties of Berkeley, Accomac, Northampton, Elizabeth City, York, Princess Anne, and Norfolk, including the cities of Norfolk and Portsmouth), and which excepted parts are for the present left precisely as if this proclamation were not issued.

And by virtue of the power and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States and parts of States are and henceforward shall be free; and that the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defense; and I recommend to them that, in all cases, when allowed, they labor faithfully for reasonable wages.

And I further declare and make known that such persons, of suitable condition, will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

And upon this act, sincerely believed to be an act of justice warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States of America the eighty-seventh.

[L. S.] ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

By order of the Secretary of War:

L. THOMAS,
Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., January 2, 1863.

Col. H. B. DAVIDSON:

SIR: Colonel Jenifer has just shown to me two notices purporting to have been issued by Capt. Horace Kellogg, by order of Brig. Gen. R. H. Milroy, copies of which are hereby transmitted, marked A and B.* Notice marked B is so atrocious that I have some doubts as to its genuineness. Moreover, it seems to be very different from notice marked A.

Colonel Jenifer informs me that he received the papers from you. Will you do me the favor to inquire into the genuineness and authenticity of order marked B and let me know the result?

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

GENERAL ORDERS, No. 3. } WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, January 3, 1863.

The following act of Congress is published for the information and government of all concerned:

(PUBLIC—No. 5.)

AN ACT to facilitate the discharge of disabled soldiers from the Army and the inspection of convalescent camps and hospitals.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to the present Medical Corps of the Army eight medical inspectors, who shall, immediately after the passage of this act, be appointed by the President, by and with the advice and consent of the Senate, without regard to their rank when so selected, but with sole regard to qualifications, and who shall have the rank, pay, and emoluments now authorized by law to officers of that grade.

SEC. 2. *And be it further enacted*, That the officers of the Medical Inspector's Department shall be charged, in addition to the duties now assigned to them by existing laws, with the duty of making regular and frequent inspections of all military general hospitals and convalescent camps, and shall, upon each such inspection, designate to the surgeon in charge of such hospitals or camps all soldiers who may be, in their opinion, fit subjects for discharge from the service, on

*See inclosures Nos. 1 and 2, Imboden to Davis, December 9, 1862, Vol. II, this series, p. 944.

surgeon's certificate or disability, or sufficiently recovered to be returned to their regiments for duty, and shall see that such soldiers are discharged or so returned. And the medical inspecting officers are hereby empowered, under such regulations as may be hereafter established, to direct the return to duty, or the discharge from service, as the case may be, of all soldiers designated by them.

Approved December 27, 1862.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

INDIANAPOLIS, IND., *January 8, 1863—9.20 p. m.*

Hon. EDWIN M. STANTON,
Secretary of War:

I am advised that it is contemplated when the Legislature meets in this State to pass a joint resolution acknowledging the Southern Confederacy, and urging the States of the Northwest to dissolve all constitutional relations with the New England States. The same thing is on foot in Illinois.

O. P. MORTON,
Governor of Indiana.

GENERAL ORDERS, No. 7. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, January 7, 1863.*

The following act of Congress is published for the information and government of all concerned:

(PUBLIC—No. 6.)

AN ACT to improve the organization of the cavalry forces.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter each regiment of cavalry organized in the United States service may have two assistant surgeons, and each company or troop of cavalry shall have from sixty to seventy-eight privates.

Approved January 6, 1863.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE GULF,
New Orleans, January 7, 1863.

Maj. Gen. H. W. HALLECK,
General-in-Chief, Washington, D. C.:

GENERAL: By two communications from Count Mejan, French consul at this port, bearing date, respectively, 29th and 31st December last, and also a communication from Feliciano Ruiz, dated 31st December last, which communication bears the seal of the Mexican consulate at this port, my attention has been called to the transportation of persons and the exportation of animals and materials from this port to the port of Vera Cruz, in Mexico.

The French consul in his two communications, copies of which, and translations thereof, are submitted herewith, insists upon the

right of free departure and transportation from this port to Vera Cruz of a large number of alleged French subjects, and asks that passage may be given to all who apply, and that unrestrained trade be permitted between this port and Vera Cruz, claiming New Orleans and Vera Cruz as ports absolutely opened to unconditional commerce, and asserts that though France and Mexico are at war, there is nothing in the neutrality laws which contravenes the unrestrained traffic he proposes to have sanctioned.

The communication from the Mexican consulate, a copy of which is also submitted herewith,* simply refers to a call in the newspapers for laborers to go to Vera Cruz, and the advertisement of a proposed semi-monthly line of steam communication between this city and Vera Cruz, and, though not so stated, is apparently intended to ask my intervention in the matter.

I have answered the communications of the French consul by stating to him that I would refer the matter to my Government, deeming it a matter of sufficient importance for its consideration, and await its instructions before making any decision.

A brief statement of views suggested by the neutrality act of 20th April, 1818, may not be inappropriate. In accordance with the provisions of that act, it is the duty of the Government of the United States to watch with care the acts of citizens of the United States, as well as of foreign citizens within its jurisdiction, that may in the slightest degree endanger or destroy the friendly relations of the Government with foreign nations.

This act in explicit terms provides against, and makes a high misdemeanor, the direct or indirect enlistment, or hiring for enlistment, immediately or at a subsequent period, into the service, naval or military, of any foreign country, of any person or persons, be they citizens or not, within the jurisdiction of the United States; with the single exception that citizens of foreign countries transiently but not resident within the jurisdiction of the United States are permitted to take service on board of a war vessel, letter of marque or privateer, that was such prior to its arrival within the United States.

In equally explicit terms it prohibits and makes a high misdemeanor the fitting out of vessels and increasing the force for a foreign belligerent against a nation at peace with the United States.

The setting on foot, or providing or preparing the means for any military expedition or enterprise, against a nation or people at peace with the United States, is also a high misdemeanor.

Though there appears to be no direct provision against permitting the departure and transportation of persons and the exportation of animals or materials, which of their nature are susceptible of a double use, peaceful or warlike, yet the Government has unquestionably the right to impose such conditions upon transportation and exportation as will guarantee the peaceful intent and the truthfulness of the alleged purposes.

The sixth section of the act may seem to refer, in direct terms, only to the entirety of an expedition, or the means therefor, to be carried on immediately from the territory of the United States, but it is very evident that it is intended to give the Government discretion to determine the ultimate purposes for which expeditions are fitted out or prepared, or persons leave the United States, or materials are exported or prepared for exportation, no matter how apparently fair the objects may seem at first sight.

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*Omitted.

Neutrality laws in all countries alike are the result of the common understanding of nations. If governments be allowed no discretion, and are simply to regard the letter, and disregard the spirit, these laws become a nullity and a farce, and the nation that scouts these solemnly established safeguards must beware of the consequences it may be called upon to accept.

I am, with much respect, your very obedient servant,

N. P. BANKS,
Major-General, Commanding.

[Inclosure No. 1.]

CONSULATE OF FRANCE,
New Orleans, December 29, 1862.

Maj. Gen. N. P. BANKS,
Commanding Department of the Gulf:

GENERAL: A certain number of French citizens, desiring to go to Vera Cruz, in Mexico, have been refused passes by the provost-marshal, to whom they have made application, although their papers are in perfect order.

Knowing your disposition for justice, I take the liberty to address you and to beg you to give the necessary orders, that my countrymen may not be detained.

The international laws and usages justify my demand, and I cannot understand why the freedom to travel should be obstructed to Frenchmen desiring to leave a country, where, by reason of the circumstances, they are without work and almost in destitute circumstances, to endeavor to better their fortune in another country. The ports of Mexico, especially the one of Vera Cruz, are open to the commerce of the whole world, and since the occupation of the latter port many American ships have gone there from New Orleans to engage in legitimate commerce, which has never been restrained.

The friendly relations which exist between the Government of the Emperor and that of the United States would render still more unjustifiable the restraint that is desired to be put upon the departure of Frenchmen, who, I must add, have for the most part already made considerable sacrifices in order to start on the voyage to which there appears to be a desire at present to put obstacles.

I have no doubt, general, that these several considerations will appear to you to justify the demand I have the honor to address to you.

Accept, general, the assurances of my high consideration.

The consul of France,

COUNT MEJAN.

[Inclosure No. 2.]

CONSULATE OF FRANCE,
New Orleans, December 31, 1862.

Maj. Gen. N. P. BANKS,
Commanding Department of the Gulf:

GENERAL: Your occupations have, I suppose, not allowed you to reply to the letter I had the honor to address you on the 29th instant, and the provost-marshal still refusing passes to the French citizens who wish to go to Vera Cruz, I take the liberty to make a new appeal to your justice.

The ship Ellen Stewart has been advertised for the last three weeks for Vera Cruz, taking freight and passengers. A great number of

my countrymen have engaged passage on that vessel, some sold their furniture to get the means for the expenses, some shipping freight, which is now on board, and have bills of lading delivered by the custom-house.

Now, in refusing passes, or refusing to acknowledge those already given, those Frenchmen suffer considerable loss. Outside of these considerations, I have, general, the honor to observe that no international law justifies the measure taken. It is even contrary to the principles of the United States. In fact, it is more than a year, and at a time when this port was strictly blockaded, His Excellency Mr. Seward, by agreement with Mr. Mercier, minister of the Emperor in Washington, permitted the coming to New Orleans, under protection of a ship of war of the imperial navy, of a neutral vessel, which, engaging herself to do no business operation whatever, was authorized to carry to any point about 300 Frenchmen, who had addressed a petition to me for the purpose of obtaining the means to leave a city where they could not make their living.

This arrangement, with which Admiral Farragut was acquainted, had no result on account of circumstances which to relate would be too long, but it shows that the Government of the United States was disposed to put no restraint on the departure of those Frenchmen who wished to leave. Acting thus, in full war and when the port was blockaded, I doubt not that it would act in the same manner now, when freedom is accorded to ships and passengers.

I can not admit that this prohibition to leave can be caused by the present state of war between France and Mexico; the ports of the latter country are open to the commerce of all nations. There is even this morning a public advertisement in the papers of a semi-monthly line of packets to start in a few days with freight and passengers, and, from what I hear, appears to be authorized and receives a postal subvention from the Government of the United States. Can such an enterprise have any success if the profit made on passengers is taken away? I do not wish to see in the measure detaining those Frenchmen who wish to go to Vera Cruz a sign of bad intention against France. Considering the question well, it does more harm to Mexico, which needs and has always desired the European immigration, and I cannot think that the United States, who have had so much benefit from it, will put any restraint on it. I take the liberty, general, to lay these considerations before you, and suppose that the equity and kindness which you have shown since your arrival in New Orleans will induce you to admit their justice. I must, however, in behalf of those who are under my protection, declare that, in case the measure of refusing the passes should be sustained, I have to protest against it and reserve all the rights of those who suffer by it.

I would be obliged, general, for an early answer, desired by those who wish to depart on the Ellen Stewart, and because some of them are almost in the street, having given up their houses and sold their furniture, expecting to leave soon.

Accept, general, the assurance of my high consideration.

The consul of France,

COUNT MEJAN.

News has been brought here this morning by an American vessel from Vera Cruz that that port was filled with American ships, and even some had arrived there from New York, loaded with 800 mules, after sixteen days' voyage.

RICHMOND, *January 7, 1863.*

General R. E. LEE,
Commanding Army of Northern Virginia:

GENERAL: I have just received the letter from Colonel Imboden, although it was dated December 9,* and I forward it to you with its two inclosures in order that you may call upon the commander of the U. S. forces to prevent the savage atrocities which are threatened, if he be disposed to enforce upon his subordinates due regard for the recognized usages of war, and to know his purpose in relation thereto. You will notify him that unless he promptly and satisfactorily responds, say within five days, measures will be taken by retaliation to repress the indulgence of such brutal passions as are indicated in the inclosed orders of General R. H. Milroy.

Very respectfully and truly yours,

JEFF'N DAVIS.

WAR DEPARTMENT,
Washington City, D. C., January 9, 1863.

Governor TOD,
Columbus, Ohio:

I have just read with great pleasure your manly and patriotic message. You deserve not only the honor and respect of your great State, but also of every loyal and patriotic heart.

EDWIN M. STANTON.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., January 9, 1863.

Hon. Mr. SEDDON,
Secretary of War:

SIR: I have the honor to inclose some documents illustrating the course of the Federal General Milroy toward a portion of the people of the district I represent, and respectfully invoke the attention of the Government to his high-handed outrages.

Most respectfully, your obedient servant,

A. R. BOTELER.

[Inclosure No. 1.]

HEADQUARTERS ARMY OF OCCUPATION,
Moorefield, Va., December 11, 1862.

TO THE CITIZENS OF MOOREFIELD:

I am ordered by the general commanding to levy on the citizens, as "a contribution of war and as a punishment for the aid given to Captain McDonald," three days' subsistence for our troops now stationed in this place. The requisition will be regularly made by Lieutenant McAdams, acting quartermaster, Tenth Regiment Virginia Volunteer Infantry, and equalized as nearly as possible to the ability of the citizens.

The requisition will be made to-morrow morning, and six hours will be given for voluntary response.

THOS. M. HARRIS,
Colonel Tenth Regiment Virginia Volunteers.

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*See Vol. II, this series, p. 943.

[Inclosure No. 2.]

HEADQUARTERS ARMY OF OCCUPATION,
Moorefield, Va., December 12, 1862.

TO THE CITIZENS OF MOOREFIELD:

The following articles are expected to be furnished by 4 p. m. in bulk. The citizens will equalize it among themselves: 1,200 pounds beef, 700 pounds pork, 1,150 pounds flour, 1,200 pounds corn-meal. Citizens not having the articles named can furnish money or some eatable article.

By order of T. M. Harris, colonel, commanding:

JOHN McADAMS,
Lieut. and Actg. Reg. Quartermaster, 10th Regt. Va. Vol. Inf.

[Inclosure No. 3.]

GENERAL ORDERS, No. 39. } HDQRS. CHEAT MOUNTAIN DIVISION,
Petersburg, W. Va., December 20, 1862.

Whereas, loyalty to the Government of the United States is the highest and first duty of all citizens of that Government, and when not voluntarily yielded, must be enforced; and subordinate and next to this is the obligation of loyalty to the State in which they live;

And whereas, the Congress of the United States has recently recognized and admitted the State of West Virginia as one of the States of the Union;

And whereas, the said new State of West Virginia has avowed and demonstrated her loyalty to the General Government of the United States by sending Senators and Representatives to the Congress thereof and by furnishing nearly 20,000 troops for the Army of that Government to assist in the suppression of the present unjust rebellion, and is, therefore, entitled to the sincerest loyalty of all citizens within the said State:

Therefore, it is ordered that all citizens, male and female, who are now, or may hereafter be, residents within the lines of this command, while within the limits of said State of West Virginia, shall, when called upon to do so by any provost-marshal or other officers of this division, take an oath of allegiance to the Government of the United States and to the State of West Virginia; and upon failure so to do when so called upon, he or she shall forfeit all right to the protection of the Cheat Mountain Division of the U. S. Army, or any part thereof.

By order of Brig. Gen. R. H. Milroy:

JNO. O. CRAVENS,
Lieutenant and Acting Assistant Adjutant-General.

[Inclosure No. 4.]

GENERAL ORDERS, No. 2. } HEADQUARTERS POST,
Moorefield, Va., December 20, 1862.

General Orders, No. 39, from headquarters Cheat Mountain Division, are published for the information of the citizens of Hardy County, W. Va., and will be immediately enforced by this command.

All citizens of Moorefield and vicinity, in the county of Hardy, State of West Virginia, desiring the protection of the United States for their property and persons, are hereby notified to call at these headquarters and take an oath of allegiance to the Government of the United States and the State of West Virginia.

All persons refusing or neglecting to comply with this order will be called on to furnish supplies of provisions and forage for the use of the U. S. Army. Their property will be used to quarter troops, for Government store-rooms, &c.

While loyal men are obliged to leave their families and homes, endure the hardships, take the risks of a soldier's life, and shed their blood in defense of the only truly republican Government in the world, rebel sympathizers, aiders, and abettors, seeking its destruction, must be made to feel the strong arm of the Government, whether found in arms against it or at home with their families.

By order of J. Warren Keifer, colonel, commanding:

T. J. WEAKLEY,
Lieutenant and Post Adjutant.

[Inclosure No. 5.]

No. 41.] HEADQUARTERS,
Moorefield, Va., December 23, 1862.

OATH OF ALLEGIANCE.

I do solemnly and voluntarily swear that I will support, protect, and defend the Constitution and Government of the United States against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution, or law of any State convention or legislature to the contrary notwithstanding; and further, that I do this with a full determination, pledge, and purpose, without any mental reservation or evasion whatever; and further, that I will uphold and defend the government of Virginia as vindicated by the convention which assembled at Wheeling on the 11th of June, 1861; and will neither directly nor indirectly give aid or information to the enemies of the United States: So help me God.

_____.

Sworn to and subscribed before me this 23d day of December, 1862.

J. WARREN KEIFER,
Colonel, Commanding Post.

HEADQUARTERS ARMY OF NORTHERN VIRGINIA,
January 10, 1863.

Maj. Gen. H. W. HALLECK,
Commander-in-Chief U. S. Army, Washington, D. C.:

GENERAL: I have the honor to transmit to you copies of two papers recently served upon Mr. Job Parsons, a citizen of Tucker County, Va., by the military authorities of the United States in that region.*

The originals of these papers are now in the possession of His Excellency the President of the Confederate States, who has directed me to communicate with you on the subject.

I am unwilling to believe that such threats against unarmed and defenseless citizens as are contained in the extract from what purports to be an order from Brigadier-General Milroy have received the sanction of any soldier, and have the honor to ask whether the extract from the order referred to is literally or substantially correct.

*See inclosures Nos. 1 and 2, Imboden to Davis, December 9, 1862, Vol. II, this series, p. 944.

Should it unfortunately prove to be true, I am instructed to ask whether your Government will tolerate the execution of an order so barbarous and so revolting to every principle of justice and humanity.

Should you not deem it proper to respond to these inquiries it will be reluctantly assumed after the expiration of ten days from the date of this communication that the order is that of General Milroy, and that its execution will not be restrained.

In that event I am directed to inform you that this Government will be compelled to protect its citizens by the immediate adoption of stern retaliatory measures.

I have the honor to be, very respectfully, your obedient servant,

R. E. LEE,
General.

[First indorsement.]

JANUARY 15, 1863.

Respectfully referred to Major-General Schenck to ascertain and report if the inclosed papers are copies of genuine originals.

Brigadier-General Milroy had no authority to issue these orders, which are deemed in violation of the laws of war. If such orders were actually issued they must be revoked.

H. W. HALLECK,
General-in-Chief.

[Second indorsement.]

HEADQUARTERS EIGHTH ARMY CORPS,
Baltimore, Md., January 16, 1863.

Respectfully referred to Brigadier-General Kelley, who will obtain from General Milroy the information called for by the General-in-Chief.

By command of Major-General Schenck:

WM. D. WHIPPLE,
Assistant Adjutant-General.

[Third indorsement.]

HEADQUARTERS DEFENSES UPPER POTOMAC,
Harper's Ferry, January 21, 1863.

Respectfully transmitted to Brigadier-General Milroy, who will report the information called for by the General-in-Chief.

By order of Brigadier-General Kelley:

T. MELVIN,
Assistant Adjutant-General.

HEADQUARTERS ARMY OF NORTHERN VIRGINIA,
January 10, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: In view of the atrocious orders issued by the Federal General Milroy, with regard to citizens of the Valley District, I would respectfully recommend that prisoners from his command captured by our forces be not exchanged, but that they be held as hostages for the protection of our people against the outrages which he is reported to be committing.

I have the honor to be, very respectfully, your obedient servant,

R. E. LEE,
General.

HEADQUARTERS ARMY OF NORTHERN VIRGINIA,
January 11, 1863.

His Excellency President JEFFERSON DAVIS:

Mr. PRESIDENT: I have the honor to have received your letter of the 7th instant, with the two inclosures from Colonel Imboden. In accordance with your instructions I have addressed a communication to General Halleck upon the subject, a copy of which I inclose herewith.* I have taken the liberty of extending the time for his response to ten days, as I ascertained that five days would be too short a period for the investigation to be made and the reply to reach this point.

I have the honor to be, very respectfully,

R. E. LEE,
General.

WAR DEPARTMENT,
Washington City, D. C., January 12, 1863.

Messrs. COOPER, HEWITT & Co.,
New York:

GENTLEMEN: I am directed by the Secretary of War to acknowledge the receipt of your letter of the 8th instant† asking this Department, in redemption of the promise made to you at the time you undertook to discover and establish in the United States the art of making gun-barrel iron equal in all useful qualities to the best English Marshall iron, at a cost, if possible, of not more than 8 cents a pound, that the price should be increased, if you could not make the iron at 8 cents a pound, to 10 cents a pound, provided that the increased price should at no time exceed the price of imported No. 1 Marshall iron. In reply the Secretary of War instructs me to say that in view of the difficulties you have encountered, your large outlay, the increased cost of materials and labor, the rise in the price of imported Marshall iron to 12½ cents a pound, the manifest impossibility of making such iron under present circumstances at 8 cents a pound, the agreement of this Department to increase the price to 10 cents a pound if necessary, and, in addition to all, the great national importance of discovering and establishing in this country the art of fabricating such iron upon a scale adequate to the supply of our armories, he has deemed it just and proper to accede to your request, and has instructed Brig. Gen. J. W. Ripley, Chief of Ordnance, to pay you for gun-barrel iron hereafter delivered under the order to you from this Department of September 10, 1862, for 2,000 tons, at the rate of 10 cents a pound, instead of 8 cents a pound, as stipulated in said order.

Very respectfully, your obedient servant,

P. H. WATSON,
Assistant Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., January 12, 1863.

General R. E. LEE,
Commanding, &c.:

SIR: Your letter of the 10th instant relative to the outrages practiced by the odious Federal General Milroy on our citizens of the Valley

*See January 10, p. 10. †Omitted.

District has, together with other documents evidencing and illustrating his atrocities, been submitted to the President, and will be appropriately noticed by him in his forthcoming message. It is gratifying to the Department to have its views of the necessity of restraining such savage conduct by appropriate retaliation sustained by your judgment and sanction.

It may not be inappropriate in this connection to submit to your consideration a letter just received by the Department from Mr. M. R. Kaufman, a member of the General Assembly, complaining of the inactivity of our troops in the Valley. One or two other similar memorials have been sent to the Department, but I have not thought it necessary to trouble you with them. Your own greater knowledge and superior discrimination will enable you to determine what weight is to be attached to such complaints, and what remedy, if any, is advisable.

With high esteem, most respectfully, yours,

JAMES A. SEDDON,
Secretary of War.

[Inclosure.]

RICHMOND, *January 10, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

DEAR SIR: In behalf of the citizens of the Valley of Virginia I earnestly solicit you to inquire into the condition of affairs in that region. We have no earthly protection from our forces; the enemy are allowed with impunity to make raids through the different counties without fear of molestation. While I do not wish to find fault with our commanding officers, not knowing whether they are acting under orders or not, it is quite strange to me that 1,200 or 1,500 of the enemy should be allowed quietly to march into Strasburg, take peaceable possession, commit all sorts of thefts and robberies, retire a few miles down the valley, commit similar atrocities, remain several days, and retire to Winchester, when we have a force in the valley of nearly double that amount of men, who upon every move of the enemy continue to fall back farther and farther from the enemy. I speak what I know when I say, the nearest our pickets are stationed to the Federal lines is about twenty-eight miles, and only on one occasion since the occupation of Winchester has a scouting party been sent out in that direction. My residence is about ten miles south of Winchester. I have on three occasions visited my home with a view to get all the information I could, and wrote General Jones from Woodstock giving him a statement of facts gained by observation, and promised to act as guide provided he would send a scouting party down. I am sure we could have captured several foraging parties. My entreaties were in vain. Of the late campaign of our forces to Moorefield, you may obtain accurate information by summoning Charles Williams, esq., delegate from Hardy County, who was with them. I saw the Yankee cavalry in Strasburg last Saturday, which is eighteen miles from Winchester. I have since learned that a scouting party entered Woodstock, thirty miles from Winchester. There is still a large amount of wheat in the lower valley, certainly enough to keep an army sufficient to keep the valley clear of the public enemy. Could we have such protection large preparations would be made for a crop of corn, which must be very essential to the support of the army.

I feel a delicacy in writing this communication to you, and only do for protection of our people.

Very respectfully, your obedient servant,

M. R. KAUFMAN,
House of Delegates, Frederick County, Va.

ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., January 13, 1863.

Brig. Gen. DANIEL ULLMANN,
Washington, D. C.:

SIR: By direction of the Secretary of War you are hereby authorized to raise a brigade (of four regiments) of Louisiana volunteer infantry, to be recruited in that State, to serve for three years or during the war. Each regiment of said brigade will be organized as prescribed in General Orders, No. 126, series of 1862, from this office. The recruitment will be conducted in accordance with the rules of the service and the orders of the War Department, and by the said Department all appointments of officers will be made. All musters will be made in strict conformity to paragraph 86, Revised Mustering Regulations of 1862.

I am, very respectfully,

THOS. M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, January 13, 1863.

Col. JAMES MONTGOMERY,
Washington, D. C.:

SIR: By direction of the Secretary of War you are hereby authorized to raise, subject to the approval of the general commanding the Department of the South and under his direction, a regiment of South Carolina volunteer infantry, to be recruited in that State, to serve for three years or during the war.

The said regiment will be organized as prescribed in General Orders, No. 126, current series [1862], from this office. All appointments of officers will be made by the War Department. All musters will be made in strict conformity to paragraph 86, Revised Mustering Regulations of 1862.

I am, sir, very respectfully, your obedient servant,

THOMAS M. VINCENT,
Assistant Adjutant-General.

HEADQUARTERS C. S. FORCES,
On Shenandoah Mountain, January 13, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: In reply to a letter from Robert Ould, esq., agent of exchange, to H. B. Davidson, of date January 2, 1863, which was referred to me, I have the honor to transmit herewith proof of the authenticity

of certain orders of Brig. Gen. R. H. Milroy, U. S. Army, which were forwarded by me to the President some weeks ago. In addition to the deposition of Job Parsons and myself I furnish you as cumulative evidence a copy of The Crisis, of date December 24, 1862, a newspaper published at Columbus, Ohio, in which the orders of Milroy are published as part of the history of the times.* I have not seen Adam Harper, who is the subject of this published order, but two of his sons, one of whom is my scout, have stated to me that their father was compelled to pay the assessment of $285 to save his life. The whole amount of money raised by these illegal assessments in the small county of Tucker, as near as I can ascertain it, is about $6,000. Were I to report every case of outrage of this character which has come to my knowledge it would astound all Christian people who read it. Permit me, sir, to express the opinion that we have an effectual remedy for these crimes by the adoption of an inexorable rule of retaliation. The oppressions of our people cannot be increased but I believe will be mitigated by the enforcement of the fullest measure of retaliation on these bloodthirsty savages.

Respectfully, your obedient servant,

J. D. IMBODEN,
Colonel, Commanding.

MADISON, WIS., *January 13, 1863.*

Hon. E. M. STANTON:

On the 5th ultimo writs were served upon me, which were answered on the 16th to supreme court. The decision of the court was postponed to 30th; again postponed, and to-day announced as follows:

That General Orders, No. 141, September 25, 1862, is invalid; that the President has no right to suspend the writ of habeas corpus—that Congress alone can suspend the writ—nor to declare martial law over territory not actually the scene of war. To prevent, if possible, collision between United States and State authorities the attachment against General Elliott will not issue until the authorities at Washington can be informed of this decision.†

W. L. ELLIOTT,
Brigadier-General, U. S. Army.

WASHINGTON, D. C., *January 14, 1863.*

General R. E. LEE,
Commanding, &c.:

GENERAL: Your communication of the 10th instant, inclosing copies of two papers purporting to be signed by order of Brig. Gen. R. H. Milroy, in November last, is just received. Measures will be immediately taken to ascertain whether these papers are genuine, and, if so, General Milroy will be notified that his conduct in issuing them is disapproved. It is not alleged that any attempt has been made to execute them.

The Government of the United States has not only observed the modern laws and usages of war, but through the present rebellion has refrained from exercising the severer rights recognized by the

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*For inclosures accompanying this letter, see Series II, Vol. V, pp. 809–811.

†For reply, see Stanton to Elliott, January 15, Series II, Vol. V, p. 179, and for Salomon to Stanton, same subject, see *ibid*, p. 174.

codes of civilized Europe. It has pursued this course, notwithstanding the innumerable violations of the rules of civilized warfare by its enemies.

Nevertheless there probably have been, as there always will be, individual acts of subordinates or irresponsible persons which can not be justified, and some of which deserve punishment. All such cases, when brought to the attention of the Government, are immediately investigated and a remedy applied.

Neither in this nor in any other matter will the course of the Government be changed by any unbecoming threats of barbarous retaliation, no matter by whom they may be made.

Very respectfully, your obedient servant,

H. W. HALLECK,
General-in-Chief.

INDIANAPOLIS, IND., *January 15, 1863—11 a. m.*

Hon. E. M. STANTON:

I am informed by Robert Dale Owen that two drafts of $50,000 each have been drawn on the Treasury in favor of Colonel Carrington, mustering officer here. They have not come to hand, and Colonel Carrington has no notice of their being sent. I have borrowed large sums and advanced them to him for advance pay and bounty, of which about $60,000 has not been refunded. The interest is accumulating, for which I am personally responsible. There are some companies of cavalry here ready for the field, and can leave as soon as their bounty is paid. I pray you will have the money sent to Colonel Carrington at once.

O. P. MORTON,
Governor of Indiana.

ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., January 15, 1863.

GOVERNOR OF RHODE ISLAND,
Providence, R. I.:

SIR: I am directed to say that the President will accept into the service of the United States an infantry regiment of volunteers of African descent, if offered by your State and organized according to the rules and regulations of the service.

I am, very respectfully,

L. THOMAS,
Adjutant-General.

WAR DEPARTMENT,
Washington City, D. C., January 15, 1863.

Governor SALOMON,
Madison, Wis.:

Your telegram respecting the recent decision of the supreme court has been submitted to the President and his decision will be communicated to you.*

EDWIN M. STANTON,
Secretary of War.

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*This in reply to Salomon of January 13, Series II, Vol. V, p. 174.

WAR DEPARTMENT,
Washington City, D. C., January 15, 1863.

Governor SALOMON,
Madison, Wis.:

I leave to-night for Madison to inspect the record in the habeas corpus cases. Let all proceedings be suspended until I arrive.

T. O. HOWE.

WAR DEPARTMENT,
Washington City, D. C., January 15, 1863.

Chief Justice DIXON,
Madison, Wis.:

By order of the President I leave for Madison to-night to inspect the record in the habeas corpus cases. I beg that all proceedings may be suspended until my arrival.

TIMOTHY O. HOWE.

NEW YORK, *January 16, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: If not objectionable, will you direct the following to be sent to the Associated Press?

DANIEL ULLMANN,
Brigadier-General.

Brig. Gen. D. Ullmann has been assigned to special duty; large and responsible powers have been submitted to him; his headquarters will be for the present in the city of New York.

WAR DEPARTMENT,
Washington, D. C., January 16, 1863.

Brigadier-General ULLMANN,
New York:

The Secretary of War directs me to say that the notice submitted is not approved.

CHAUNCEY McKEEVER,
Assistant Adjutant-General.

NEW YORK, *January 17, 1863.*

Maj. THOMAS M. VINCENT,
Assistant Adjutant-General, Washington:

SIR: I telegraphed yesterday to the Honorable Secretary of War, requesting a notice to be sent to the Associated Press. I have to-day received his disapproval of the same.

I have found that in the preliminary arrangements which I have been making to execute his orders that it is very desirable that I should be accredited before the public. I wish to prepare the public mind for the final development. It was therefor I wished some such publication. I can only to-day report progress.

Respectfully, your obedient servant,

DANIEL ULLMANN,
Brigadier-General.

SPECIAL ORDERS, No. 29. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, January 19, 1863.*

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22. Brig. Gen. E. R. S. Canby, U. S. Volunteers, will report in person without delay to the Adjutant-General of the Army for assignment to special duty in his office, to date from 15th instant.

By order of the Secretary of War:

L. THOMAS,
Adjutant-General.

HEADQUARTERS ARMY OF NORTHERN VIRGINIA,
January 19, 1863.

His Excellency President JEFFERSON DAVIS:

Mr. PRESIDENT: Upon receiving your letter of the 7th instant, on the subject of General Milroy's orders, I immediately wrote to General Halleck, inclosing copies of these orders. He has replied to my letter under the date of January 14. I inclose his letter, with a copy of my own, for your consideration.*

Hoping that the correspondence may serve to put some check upon Milroy in his treatment of the inhabitants of the Valley,†

I have the honor to be, very respectfully, your obedient servant,

R. E. LEE,
General.

[JANUARY 19, 1863.—For Howe to Stanton, reply of latter, and Stanton to Elliott, in relation to habeas corpus cases in Wisconsin, see Series II, Vol. V, p. 190.]

CONSULATE-GENERAL OF THE UNITED STATES OF AMERICA,
Frankfort-on-the-Main, January 20, 1863.

Hon. EDWIN M. STANTON,
Secretary of War, Washington:

SIR: I have shipped to-day, for the use of the wounded soldiers, to America, via Hamburg, three casks of linen and lint, and forwarded the same free of charge to Hamburg, and the enterprising and liberal American firm of James R. McDonald & Co., of Hamburg, have kindly offered to pay the transportation of all this linen from there to New York. It is all consigned to care of Mayor Opdyke, John A. C. Gray, esq., and Frederic Kapp, esq. It has been contributed here and in the neighboring towns by Germans and Americans who have friends and relatives in the Union Army, and among the contributors are officers and members of the courts to whom I am accredited. I shall forward altogether not less, perhaps, than from 6,000 to 10,000 pounds. I thought it best to advise you of the same, as you may know where some of it can best be used. Much of it has been picked into lint at the numerous little lint parties held at the houses of the few Americans living here, though some of it was prepared before being sent to me.

The late victories in the West have cheered up our desponding hearts, and we hope soon to see a restoration of that glorious old Union. I have communicated the fact to Mayor Opdyke that I could probably send him in a few weeks from here, if desired, for our Army from 20,000 to 30,000 experienced veteran soldiers who have seen

*See pp. 10, 15. †For reply, see Series I, Vol. XXI, p. 1108.

service in the Italian and Crimean wars, and who have been discharged by reason of a reduction by several German States of their military force. I am prepared to do this without any violation of the neutrality laws of the States from whence I should send those soldiers. They would not require the large bounties now being paid in our country for soldiers, but might require some advance toward paying their passage over to America. Mayor Opdyke seemed to think that soldiers enough could be procured in the United States, and that none would be needed to be sent from here.

I have the honor to be, with great respect, sir, your most obedient servant,

WILLIAM W. MURPHY,
Consul-General.

[First indorsement.]

MARCH 4, 1863.

Referred to the Surgeon-General, with instructions to take steps to obtain possession of the lint, and to notify the Department of the amount he may from time to time receive.

By order of the Secretary of War:

P. H. WATSON,
Assistant Secretary of War.

[Second indorsement.]

SURGEON-GENERAL'S OFFICE,
March 18, 1863.

Respectfully returned to the Secretary of War, with the request that remission of duties be obtained on the within-mentioned lint, &c., for the benefit of the Medical Department, and that these contributions be delivered to Surg. R. S. Satterlee, U. S. Army, medical purveyor, New York.

W. A. HAMMOND,
Surgeon-General.

HDQRS. MUSTERING AND DISBURSING SERVICE,
STATE OF INDIANA,
Indianapolis, January 24, 1863.

Brig. Gen. L. THOMAS,
Adjutant-General U. S. Army, Washington, D. C.:

GENERAL: At the instance of Governor O. P. Morton, as I learn, my order to leave Indianapolis was suspended. I have been laboriously engaged in the examination of soldiers, to detect the operations of the secret society at work to secure desertions, &c. One case has already been acted upon by a general court-martial. I trust the President will find it consistent with his views of justice to approve the sentence if it be submitted to him, whatever it may be. Several organized attempts to do mischief have been frustrated, and I have sufficient force to protect the arsenal and maintain order.

The evidence involves some quite prominent citizens, but I have thought best not to make the results public until we push inquiries further. My views submitted to the Secretary of War have been fully confirmed, and the order is one of the most treasonable character. An apparent improvement is visible in this State, growing out of the fact that it is now understood that the Government will deal sternly with any overt offenders. Nearly 2,600 deserters and stragglers have been arrested within a very few weeks; generally it requires an armed detail. Most of the deserters, true to the oath of the order, desert with

their arms, and in one case seventeen fortified themselves in a log cabin with outside paling and ditch for protection, and were maintained by their neighbors. I sent a detachment which secured eight, and the day following a large number surrendered.

This labor seriously interrupts the labor upon comparison of enlistments and accounts, but is, I believe, of good service to the Government.

I am, very respectfully, your obedient servant,

HENRY B. CARRINGTON,
Colonel Eighteenth U. S. Infantry.

BEAUFORT, S. C., *January 25, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

DEAR SIR: I have the honor to report that the organization of the First Regiment of South Carolina Volunteers is now completed. The regiment is light infantry, composed of ten companies of about eighty-six men each, armed with muskets, and officered by white men. In organization, drill, for the length of time it has been in service, discipline, and morale, this regiment is not surpassed by any white regiment in this department. Should it ever be its good fortune to get into action, I have no fears but it will win its own way to the confidence of those who are willing to recognize courage and manhood, and vindicate the wise policy of the Administration in putting these men into the field and giving them a chance to strike a blow for the country and their own liberty. In no regiment have I ever seen duty performed with so much cheerfulness and alacrity, and as sentinels they are peculiarly vigilant. I have never seen in any body of men such enthusiasm and deep-seated devotion to their officers as exists in this; they will surely go wherever they are led; every man is a volunteer and seems fully persuaded of the importance of his service to his race. In the organization of this regiment I have labored under difficulties which might have discouraged one who had less faith in the wisdom of the measure, but I am glad to report that the experiment is a complete success. My belief is that when we get a footing on the mainland regiments may be raised which will do more than any now in service to put an end to this rebellion.

I have sent the regiment upon an expedition to the coast of Georgia, the result of which I shall report for your information as soon as it returns. I have the honor also to report that I have commenced the organization of the Second Regiment, which is to be commanded by Colonel Montgomery.

I am, sir, with great respect, your obedient servant,

R. SAXTON,
Brigadier-General,

WAR DEPARTMENT,
Washington City, January 26, 1863.

Ordered, That Governor Andrew, of Massachusetts, is authorized, until further orders, to raise such number of volunteer companies of artillery for duty in the forts of Massachusetts and elsewhere, and such corps of infantry for the volunteer military service as he may find convenient, such volunteers to be enlisted for three years or until sooner discharged, and may include persons of African descent, organized into separate corps. He will make the usual needful requisitions on the appropriate staff bureaus and officers for the proper

transportation, organization, supplies, subsistence, arms, and equipments of such volunteers.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington City, January 27, 1863.

Hon. WILLIAM H. SEWARD,
Secretary of State:

SIR: In reply to your communication of this date relative to the communication of the Chevalier Bertinatti in regard to cannon for certain Italian war steamers now in progress of construction, I have the honor to reply that as it is found impossible to have cannon cast as rapidly as the requirements of our own service demand, it is regarded by this Department as a military necessity that no foreign Governments should be allowed to obtain cannon from any of our foundries during the present war.

I have the honor to be, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

IN THE SENATE OF THE UNITED STATES,
January 31, 1863.

Resolved, That the President be requested, if not incompatible with the public interest, to communicate to the Senate any orders issued by the Secretaries of War and of the Treasury in regard to a general prohibition to export arms and munitions of war from the United States, and especially to the Mexican Republic, and any orders in regard to the exportation of articles contraband of war for the use of the French army invading Mexico.

Attest: J. W. FORNEY,
Secretary.

WASHINGTON, D. C., *January 31, 1863.*

Hon. E. M. STANTON,
Secretary of War:

SIR: The attention of Congress was called some months ago, through the Secretary of War, by committees of officers of Engineers and Topographical Engineers to the importance of uniting the two corps, and a bill was presented for that purpose, but failed to pass both Houses. Since then a new organization has been given to our armies, which seems to require some changes in the bill then presented. The inclosed draft of bill seems well calculated to accomplish the desired object. At present there are in our service two distinct branches of engineers originally having distinct functions, but many of their duties being now common to both, I think the interests of the service will be promoted by uniting the Engineers and Topographical Engineers into a single corps of about the same numerical strength.

From a faulty organization of their corps, these engineers, though graduating higher in their classes, have generally been junior in rank to those below them at the Military Academy, and hence as large a number as were permitted have, in the present war, eagerly embraced the opportunity of obtaining higher promotion in the volunteers, thus depriving their corps of their professional services, so essential

to our military success. About one-half of the officers of these corps capable of taking the field have thus gone into the volunteers, and those that remain, though in the most responsible positions and performing very arduous duties, have daily to undergo the extreme mortification of being below nearly every one around them of their own age. At the present moment the Chiefs of Engineers and Topographical Engineers of our armies, of from fifty to one hundred and fifty thousand men, are only lieutenants and captains, while their juniors of their own and almost every arm of service are brigadiers and major-generals of volunteers, who have by no means more important duties to perform.

The organization proposed by this bill gives some increased rank to our engineers, thus offering a somewhat adequate reward for their talents and services and stimulating them to remain in the performance of their necessary professional labors.

This organization is also more in conformity to the practice of most governments, which, appreciating the elevated function of engineers, confer upon them the advantages of high rank so essential to their positions in armies, and so liberally compensated in civil life.

Organization of engineers in European armies.

Country.	Organization.	Generals.	Colonels.	Lieutenant-colonels.	Chief of battalion majors.	Captains.	Lieutenants.	Total.	Remarks.
France	Staff of engineers.....	15	32	30	115	282	18	492	7 generals of division (major-generals); 8 generals of brigade (brigadier-generals).
	Sappers, miners, pontoniers, &c.	....	4	4	16	132	168	324	
	Total French engineer officers.	15	36	34	131	414	186	816	
Great Britain ..	Corps of royal engineers.	8	16	40	.....	128	195	387	3 generals, 5 lieutenant-generals.
	East India engineers.....	7	15	34	.....	113	143	312	1 general, 2 lieutenant-generals, 4 major-generals.
	Total British engineer officers.	15	31	74	.....	241	338	699	
Austria.....	Staff of engineers.....	9	6	8	17	72	70	182	Austria has besides a staff corps of 57 officers, having also engineer duties to perform.
	Sappers, miners, pioneers, and pontoniers.	....	....	4	2	31	72	109	
	Total Austrian engineer officers.	9	6	12	19	103	142	291	
Prussia.	Corps of engineers and pioneers.	4	7	8	19	81	159	273	3 lieutenant-generals; 1 major-general.
Spain.....	Engineers in Peninsula.	11	21	21	21	64	80	218	
	Engineers in colonies	1	4	3	15	8	.....	31	
	Total Spanish engineer officers.	12	25	24	36	72	80	249	
Russia.....	Staff of engineers and topographical engineers.	13	(448 of all grades.)					461	
	Sappers, miners, pioneers, etc.	....	....	....	....	....	....	400	Number estimated.
	Total Russian engineer officers.	....	....	....	....	....	....	861	

The foregoing table will show at a glance the high rank enjoyed by the greater proportion of the officers of engineers in the armies of the great powers of Europe, and how much their numbers exceed ours.

The proposed organization of our engineers contemplates but 108 officers, notwithstanding our present greater military force and larger extent of sea-coast to be protected by fortifications, &c., than European powers. Besides, the engineers required for the construction of public works, surveys, Military Academy, &c., we have to supply them for seven large armies in the field, comprising twenty-one army corps, which number may increase. Certainly the chief engineer of an army of 50,000 to 150,000 has as high responsibilities as the commander of a regiment, and should have at least equal rank, and as the law gives to chiefs of the staff departments of army corps the rank of lieutenant-colonels, there is no justice in withholding equal rank from the chief engineers of army corps, and engineers of divisions have quite as important functions as captains of companies, though at present the chief engineer of our largest army—that of the Potomac—holds but the rank of first lieutenant.

This bill will give to chief engineers of our large armies the rank of colonels; to army corps that of lieutenant-colonels and majors, and to divisions that of captains and lieutenants.

I have taken the liberty to submit these remarks, and I understand that the Chief Engineer, from motives of delicacy, declines to express any opinion upon a bill which gives him additional rank.

Very respectfully, your obedient servant,

H. W. HALLECK,
General-in-Chief.

INDIANAPOLIS, IND., *January 31, 1863—9.30 p. m.*
(Received 12 p. m.)

His Excellency the PRESIDENT:

It is important that I should see you a few hours, but I cannot leave long enough to go to Washington. Can you meet me at Harrisburg?

O. P. MORTON,
Governor.

WAR DEPARTMENT,
Washington, D. C., February 1, 1863.

Governor O. P. MORTON,
Indianapolis, Ind.:

I think it would not do for me to meet you at Harrisburg. It would be known and would be misconstrued a thousand ways. Of course, if the whole truth could be told and accepted as truth it would do no harm, but that is impossible.

A. LINCOLN.

HEADQUARTERS DEPARTMENT OF NEW MEXICO,
Santa Fé, N. Mex., February 1, 1863.

Brig. Gen. LORENZO THOMAS,
Adjutant-General U. S. Army, Washington, D. C.:

GENERAL: I have the honor to herewith inclose the report of Maj. David Fergusson, First Cavalry California Volunteers, whom I ordered to make a survey of Port Lobos and Libertad, on the Gulf

of California. This is a report of great importance, as showing how much cheaper supplies can be gotten for Arizona and the Mesilla Valley via Libertad than from Indianola, Tex., or from Kansas City. The report is of still greater importance when considered with reference to the political and commercial geography of our country. It shows how practicable it is to make a railroad from the Rio Grande to the Gulf of California, and thus to the Pacific. It shows why the Southern Confederacy wish to hold the Territory of Arizona and wish to have a part of the State of Sonora. It shows how very important it is for us to purchase from Mexico before it becomes a possession of, say, France, a strip of territory which will give us so fine and accessible a port on the Gulf of California. When the vast mineral resources of Arizona and of the Pinos Altos region have become better known (and not one year will pass away before their importance will be appreciated), then the Government will see that a port on the Gulf of California should be ours at any cost.

I am, general, very respectfully,

JAMES H. CARLETON,
Brigadier-General, Commanding.

[Inclosure.]

TUCSON, ARIZ. TER., *November 12, 1862.*

Col. RICHARD C. DRUM, U. S. Army,
A. A. G., Hdqrs. Dept. of the Pacific, San Francisco, Cal.:

COLONEL: On the 26th of September last I received instructions as follows, viz:

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
July 26, 1862.

General Carleton will send Major Fergusson with a sufficient escort to examine the country, its resources, and the route between Tucson and Lobos Bay (place known as Libertad) via Arivaca and Altar or Cahorca.

By order of Brigadier-General Wright:

RICHD. C. DRUM,
Assistant Adjutant-General.

GENERAL ORDERS, No. 20. } HEADQUARTERS DISTRICT OF ARIZONA,
Las Cruces, N. Mex., September 5, 1862.

* * * * * * *

Major Fergusson will proceed via Arivaca and Altar or Cahorca without delay to a point at or near Lobos Bay, on the Gulf of California, known as Libertad, and examine the intermediate country with a view to the transportation of supplies. He will ascertain the resources of the country on the route; also the availability of Lobos Bay as a port where military supplies destined for Arizona may be landed. Major Fergusson will then repair in person to the headquarters of the District of Arizona and make a report of his examination of the port of Lobos route to the general commanding the Column from California.

* * * * * * *

By command of Brigadier-General Carleton:

BEN. C. CUTLER,
First Lieut., First Infantry California Volunteers, Actg. Asst. Adjt. Gen.

There being no cavalry at the disposal of the commanding officer at Tucson for an escort, I was delayed until the 10th of October from proceeding to carry the above instructions into effect. On the afternoon of that day I started with an escort of seventeen men of Company E, First Cavalry California Volunteers, commanded by First Lieut. C. P. Nichols, of the same regiment, en route to the port of La Libertad

via Arivaca, Altar, and Pitiquito, and arrived at La Libertad on the 20th of October. I append hereto an itinerary of the route.* The distances were measured by an odometer, which I was fortunate to get the loan of from Mr. J. B. Mills, jr., interpreter to Lieutenant Nichols, commanding my escort. The port of La Libertad is not on that part of the Gulf of California known as Lobos Bay, but at a distance which I estimate to be about twenty miles south of it. I inclose herewith a copy of map* of the Ensenada de Los Lobos, so-called, and the port of La Libertad, made by the scientific commission of which Don Tomas Robinson, of Guaymas, was chief. Previous to obtaining or seeing this map, by the aid of a boat, the frame of which was got out in Tucson by mechanics of the quartermaster's department and put together at La Libertad, I took soundings in the port, which are marked on the map in red ink in feet. To Mr. J. B. Mills, jr., I am indebted for the triangulation of the bay, and for tracing the result (in red ink) on Robinson's map, time not permitting the making of an original; and as the result of both surveys are so nearly similar I did not consider an original map necessary. Where there is any difference in the soundings I have no hesitation in saying that the result of my own labors, marked in red ink, are as correct as circumstances and time would permit.

Having arrived on the 20th, and the 21st, 22d, and part of the 23d of October being taken up in putting the boat together, I could not, considering the quantity of provisions and forage on hand and the absence of grass, remain more than a day and a half longer to make soundings and reconnoiter the vicinity. Of the value of this Ensenada of Libertad as a port no one can doubt. The soundings show a depth of water sufficient for vessels of any tonnage; the holding ground is excellent, the bottom being generally of fine white sand and shell at that part marked on the map as El Puerto de la Libertad, except where the ledges of rock are carefully laid down. These rocks are low, flat croppings of the bed rock, and visible in the water in fair weather. The bottom in the upper or Cabo de Lobos part of the bay is sandy in parts, gravelly in others, and near the shore composed of cobblestones, gravel, and sand. The shore is generally sandy and gravelly. The banks are low, sandy loam, except the southern part, which consists of high bluffs of sand and shell of about a mile and a quarter in length, broken by ravines and gullies. From Point Kino to Cabo de Lobos the bay extends about five and three-fourths miles and has a depth of about two miles near the center. At Point Robinson a ledge of broken, jagged rocks extends into the sea about 400 yards. The constant ripple at this point indicates the presence of rocks. By extending a mole or breakwater in the direction of these rocks 400 or 500 yards, vessels could ride at anchor in the bay to the south with the greatest security in almost any storm. The soundings on the map will show that the part of the bay between Point Robinson and Cabo de Lobos has deep water and a bold shore where vessels may discharge within a few yards of the bank. The beach is in nearly all its extent admirably adapted to beach vessels for repairs. The rise and fall of the tides I cannot give an exact account of for want of time and instruments, but I think it has an average rise and fall of nine to ten feet. There is nothing on the beach to indicate heavy storms or surf or breakers. During my stay there the climate was delightful; the winds commencing very lightly in the morning, about 4 o'clock, from the east, changing gradually to the northwest, blowing a pleasant breeze

* Omitted.

from 10 to 1, and then ceasing at sunset. The nights were cool, but not chilly. I should judge, though I do not pretend to any nautical experience, that vessels may safely anchor in this bay and ride out any storm except from the southwest, and even then, unless it be unusually severe, when there is enough sea room to make sail and leave the bay should it be necessary. What is termed the cordonazos, which take place in September, are the severest storms in the gulf, and then it is said the bay is comparatively smooth. With the exception of San Diego and San Francisco, California has no harbor comparable to La Libertad. The intended town of La Libertad is laid out on the shore, having the center of the principal plaza about 400 yards back from the pozo or well, which latter is about fifty yards from the shore at the rock called Piedra Parada. This part of the bay is the best for landing goods at present.

According to the observations of the scientific commission above referred to, the center of the plaza is in latitude 29° 53′ 47″ 48‴ north and the longitude 112° 32′ 45″ 43‴ west of Greenwich. The port and town are surrounded by sierras of some height, between which and the sea there is an inclined plane devoid of water or grass and of a sterile, rather loose soil, bearing a growth of mesquite, torote, hediondilla, sahuaro, sahuesa, pitahaya, ocuatilla, palo verde, and palo fierro. It is true that one of the ridges of sand about four miles and a half to the south near the beach yields some galleta grass, but to no great extent, from the absence of rain, but the dried-up remains of last year's growth were all that could be seen this season. Fresh water is obtained in abundance in the well (pozo) near the beach at Piedra Parada at a depth of twelve to fifteen feet. It is clear, pure, but warm. From the Piedra Parada along the beach for about 250 yards fresh water of about a temperature of 98° Fahrenheit issues from the sandy beach, to which wild animals come to drink at low water. At La Piedra Parada, which is south 3 degrees east from the pozo, and fifty feet long by forty feet wide, and covered at high tides, there is a warm spring in which one can enjoy a luxurious warm bath. The water is fresh enough for drinking and cooking purposes, although it has a slightly mineral taste. There is a house partially fallen down, the only one there, on Point Robinson, which was built by Don Miguel Zepeda, of Altar, for a warehouse. Last year ex-Governor Cubillos, of Sonora, shipped a quantity of copper ore from this port to England in a vessel of over 1,000 tons burden. The harbor is full of a great variety of fish, such as bass, mullet, sardines, flounders, rock-cod, sharks, turtles, crabs, blackfish, and goldfish of a large size. Clams and a species of oyster were also found. Very few shells were found on the beach, an evidence of absence of storms, breakers, and surf. The nearest settlements to the port are Cahorca and Pitiquito. There is a deserted rancho belonging to one Don Fernando Cerna about fifty miles from the port, situated about six miles to the south of the road, where there are two inexhaustible wells of water and an excellent grazing range. Until wells are dug or water discovered on the road between Pitiquito and Libertad each wagon should carry a barrel to contain about forty gallons of water, or trains of fifteen wagons have each a water-tank of 600 gallons capacity. This would avoid the necessity of going to the Picú, four or five miles off the road, for water. Several parties are now, however, ready to sink wells, make dams, and settle on the road, provided the supplies for our troops are transported over this route. There is no danger of a scarcity of water in that event. The whole route from Tucson, with

but short intervals excepted, can be settled by rancheros, and grain, hay, and other resources will be forthcoming in abundance when the occasion calls for them. The people and authorities along the route are alive to the advantages they can reap should this route be established.

Don Miguel Zepeda, judge of the first instance of the district of Altar, who accompanied me to Libertad, and who has an interest in the advancement, is compromised to obtain a supply of water by either a well or represo at La Angostura, thirty-five miles from La Libertad. Angostura is admirably adapted for a stock ranch, and with water enough much land could be cultivated there and good hay cut. In the way of timber there is nothing near Libertad and none nearer on the route than Busani Rancho, where there is considerable oak, ash, walnut, and cottonwood. The whole of the district of Altar is barren of good timber with the exception of Busani, I am informed. However, I must except the mesquite, which in some parts grows to quite a respectable size, and nearly all the lumber used in the district is of mesquite. Limestone of a very superior quality is found near La Libertad and at all the settlements and pueblos on the Altar River. The sierras are said to be rich in minerals near the port. Of this I can say nothing of my own knowledge. There can be no agriculture nearer La Libertad than the Picú Valley and the pass of the Angostura, twenty-four and thirty-five miles distant, respectively, and there only to a limited extent, except in very rainy seasons, or after abundance of water is obtained from wells or artificial lakes. The whole country from Pitiquito to Picú in the valleys is good for grazing, and in the Bajio de Aquituni large crops can be raised without irrigation, the rains sufficing. I transmit a copy of Ehrenberg's map* with the routes to Libertad and Lobos and back via the Altar River traced thereon in red ink. A glance at the map will show that in a geographical point of view La Libertad or Lobos Bay are the nearest ports to the northern districts of Sonora, all of Arizona, New Mexico, and parts of Texas, and Chihuahua, and time will show that the routes are not only favorable in regard to distances, but in respect to superiority of roads, economy of time and means. From La Libertad to El Paso the distance via Tucson, the longest route, is but 505 miles. From Indianola, in Texas, to El Paso, the distance is 789½ miles. From Tucson to La Libertad I can say with confidence that I never saw a better natural road or one more favorable for a railroad, so far as the topographical features of the country are concerned, considering its length. Government surveys have shown the practicability of railroads from this point to La Mesilla, &c. From Los Paredones via Pozo Verde and Fresnal it is said a more level route exists than hence via Arivaca. It is worth examination, for lately many discoveries of silver have been made at Fresnal, and the whole of the Baboquivari range is said to be rich in argentiferous galena ore. The country is covered with excellent grass, and at Fresnal and Pozo Verde water is found in great plenty. There is now a population of 500 Mexicans at Fresnal mining for silver. There is great danger of these people ruining valuable leads by their grasping and unprofessional mode of opening and working veins of metal. They yield no revenue to the Government and are under no legal restraints; as foreign miners, it is but just they should at least pay the taxes usual in California. From the Pima Villages to Altar via Los Paredones there is a good, hard, level road.

* Omitted.

On the 25th of October I returned from La Libertad, having left the boat near the well in a gully near the beach, partially filled with sand, and arrived at Pitiquito on the 27th of October.

On the 28th I went to Cahorca to make inquiries in regard to the port of Lobos and to get a guide.

On the 29th, having left all my escort except five men, I took one wagon and started en route for Lobos. The presidente de la municipalidad of Cahorca and Don Jesus Rivera, of that place, accompanied me. Don Antonio Ramirez voluntarily offered his services as guide gratis. To those three gentlemen I am under many obligations for courtesy, kindness, and many favors. Ramirez is one of the best of guides, and to him belongs the honor of first guiding wagons over a practicable route to both La Libertad and Lobos. He it was who guided Don Miguel Zepeda, who opened the Libertad road. I inclose an itinerary* of the route from Cahorca to Lobos, and transmit also a sketch* of the port of Los Lobos. It not being practicable to carry the boat here, no soundings were taken, and as no fresh water is found at Lobos our stay was limited to a few hours, having arrived there on the morning of the 1st of November at 9 o'clock and left on our return at 3 p. m. same day. The sketch herewith gives as nearly correct an outline of Lobos as could well be done without an actual survey. The harbor appears to have deeper water than Libertad, except at the cove at the north end near the low spit of land. The southern point is formed by a high mountain ridge called the Sierra del Toloache; the northern by a low spit of land which, though not so good as the southern, still shelters the bay from heavy seas, if not from high winds. The topography of Lobos is not so favorable for a town or settlement as La Libertad, the ground being more desert, more rough, and broken up by ridges and gullies. The shore in the central and southern parts is a high bluff composed of limestone, shell, and sand. Elevation from 75 to 150 feet, broken by deep ravines. Where the jacales are marked on the map, however, the position is favorable for building houses and for landing goods. From the elevated shores I could discover that the water is deep, and near the beach the bottom the same as at La Libertad. The water is deeper near the shore, except at the spit end, where the low tide leaves several hundred yards bare and some rocks exposed. Except at this part of the bay there appears to be no rocks or shallows. I consider the harbor or roadstead rather safe and commodious, and would recommend that the first time a public vessel comes to Libertad that soundings be taken at Lobos. Water in abundance for shipping can be had at the desemboque (mouth) of the Altar River at a distance by sea not exceeding twelve to fifteen miles, which is at the foot of La Sierra de las Espinas, north 6 degrees west. No agricultural lands are nearer Lobos than the Bajio Leon, twelve miles and a third distant. The northern point of La Libertad Bay is seen from Lobos, viz, Cabo de Lobos about twenty miles nearly south (south 18 degrees east). The port is like La Libertad, surrounded by a semicircular range or succession of sierras situated as follows: Sierra de la Cascarita, on the gulf north 4 dgreees west; Sierra de las Espinas, at foot of which is the desemboque and fresh water, say fifteen miles, north 5 degrees west; La Sierra del Tanque, north 11 degrees west; Cerro Pinto, a whitish detached hill, north 15 degrees west; Cerro del Copal, north 5 degrees west. The Sierra del Puerto de Lobos extends from north to east, the greatest

*Omitted.

distance from beach being from four to five miles. Las Sierras del Mescal (two detached hills), north 80 degrees east; Sierra del Datil, east. Sierra del Toloache, southern point of bay, south 26 degrees east. Point of low spit of land forming the northern extremity of bay, south 52 degrees west. Knoll near the spit, south 76 degrees west. Large island (probably Tiburon), south 40 degrees west. Isla del Angel de la Guardia, from south to south 20 degrees west, about forty miles distant. The observations were taken a mile north 70 degrees east from the point marked jacales on the map. The growth of wood at Lobos is the same as at Libertad, with the addition of the copal tree, which grows on the Cerro de Copal and neighboring ridges and ravines.

In regard to water, I refer to my itinerary of this route. I have no doubt abundance can be obtained by artesian boring. Fish in more abundance even than at La Libertad were seen here, and in a small cove to the north were seen about 300 seals on the shore, one of which was killed by one of our party. As at La Libertad also we found the earth near the beach nearly covered in parts with pumice stone. Good building stone is abundant in the hills, but no timber; fuel is plentiful. The first known of this bay by the people of Cahorca was in 1840 or 1841, when the Papago Indians discovered a wreck of a vessel, upon advice of which several parties went to the port from Cahorca by way of the Alamo Muerto Rancho and the desemboque by the beach. I have seen no map having anything like a correct representation of the bay of Lobos, and none previous to Robinson's having Libertad on at all. In the whole district of Altar the most confused and undefined ideas existed in regard to Lobos Bay, and my guide, Antonio Ramirez, was the only person who gave me assurance of finding a practicable wagon route, and he redeemed his promise. I was told by a person who was at Lobos several times that it was impracticable to take an empty wagon. I took a half-loaded wagon, drawn by a very poor team, without the slightest difficulty, without using an ax, a spade, or crowbar, or moving any obstruction in the road, or going over a single sand-hill. I was assured by parties pretending to respectability that for sixteen miles the route lay over mountains of shifting sand-hills. Sand-hills are seen, but none but a simpleton would cross them, as they are no more in a direct route than a good hard road is. I hope I have dispersed an illusion and a delusion widespread in regard to the impracticability of the Lobos and Libertad routes. This delusion was fostered with great care by parties in and out of Sonora, whose love of gain exceeds their love of truth and manly honor. It is proper to say that Lobos is not yet a port of entry, not being, as it is termed in Sonora, habilitado. On the coast above Lobos Bay are two estuaries (esteros) affording safe anchorage for small vessels. The first is between Lobos Bay and El Desemboque. It is a kind of canal, about 500 yards long by 150 yards wide, having five to six feet of water at low tide; it is two leagues south of the desemboque, and is well sheltered from winds. In case of the neighboring hills being rich in minerals this will be a valuable anchorage. The second estero is at La Salina, where large quantities of salt are found. It is fit for small schooners only. Fresh water is at the distance of 1,500 yards, within five feet of the surface. Guano is got from San Isla Blanco, in the vicinity. Fine white salt is found at La Sierra de la Cascarita and La Sierra del Tanque.

On the morning of the 2d I arrived on my return at the Pozo Moreneño, described in the itinerary of this route. There are several

gold and silver mines in this neighborhood, in the Sierra del Alamo, viz:

Of silver: La Moreneña, a real, one league due north from Pozo; El Aqua Nueva, one league northwest from Pozo, besides La Purisima, San Francisco, Zepedas, &c.

Of gold: The Placer de las Palomas is the principal, being two leagues north 60 degrees west from the Pozo; it yields from 50 cents to $16 per day to the hand.

There are seven arrastres at work at the Pozo reducing silver. The Alamo Muerto Rancho is seven leagues distant to the northwest, where there is wood, water, and grass in abundance, and by which the wagon road to the desemboque passes. In the Sierra del Alamo are five aquajes (watering places), viz, La Moreneña, El Agua Nueva, Agua de las Palomas, Chucubabi, and Pozo Moreneño.

On the morning of the 3d instant the wagon returned to Cahorca, which is fifty-three miles and two-thirds from the port, and six miles and fifty-four hundredths from Pitiquito.

Cahorca is situated on the right bank of the Altar River; has a population of 800 souls, chiefly engaged in agriculture and mining. The land in the river bottom is very fertile, and yields annually about 6,000 fanegas of wheat, 2,000 fanegas of corn, some barley, beans, &c. The land in cultivation is about four miles square in extent, and is but a fraction of what is susceptible of cultivation. The sugar cane, tobacco, and cotton flourish here; all the fruits usual in this latitude grow in abundance. About thirty years ago the river changed its course, having formerly gone to the west, or nearly so, when it afforded much more water for irrigation. In those days there was sufficient water at Bisane (fifteen miles from Cahorca and one mile and a half to the right of the route to Lobos) to raise large quantities of grain. Now there is no water at that point. It is a very fertile ranch, belonging to Don Dionisio Gonzales. There is a rancheria of about 300 Papago Indians here who cultivate enough to subsist on, and who have to draw their water from La Calera, a distance of nine miles, and drive their cattle to water at the same place. It is very difficult to collect statistics from the Mexicans. Of the amount of wheat raised on the Altar River at the various towns, I got official information from the prefect, and had his statements fully corroborated by the principal merchants. Barley is raised in limited quantities from the fact that there is no demand for it. In the hope, however, that the route from Libertad to Tucson shall be opened, the farmers have sowed much more barley this season than usual. The time of sowing grain, wheat, and barley is in the beginning of November. I recommended that barley should be raised in considerable quantities. The prices of wheat and barley are about the same at all the pueblos, viz: Wheat at harvest time, $1.50 per fanega (150 pounds); wheat at seedtime, $3 per fanega (150 pounds); barley at harvest time, $1 per fanega (120 pounds); barley at seedtime, $2.50 to $3 per fanega (120 pounds). Beans cost from $3 to $8 per fanega; average, $5; corn the same as wheat, but the fanega weighs about 200 pounds.

Beef-cattle and all kinds of stock are scarce. I estimate that about 4,000 head of cattle pertain to Cahorca, and may be 5,000 to 6,000 head are on the Calera Ranch, six miles from there. Among themselves they sell steers from $5 to $12. There are no butchers. Animals are generally fattened for slaughter in the towns, and then they sell for about $20. Heavy oxen, fat, from $40 to $60. An abundance

of corn fodder is always to be had at the pueblos, as two harvests are raised annually. They have no way of selling it by weight. It is made in bundles (tercios) of from six to twelve pounds, according to the age of the corn, and sold for 6¼ cents per tercio at retail. It is an excellent food for animals, as the ears as well as the straw are sold. At this place there are one flour mill (belonging to Don Manuel Carmelo), four stores, two carpenters and wheelwrights, one blacksmith, six to eight shoemakers, three or four tailors, and two silversmiths. From the top of the church, the finest in Sonora, are seen the following mountains:

Sierra del Saucito, say five leagues distant, north 15 degrees west; Sierra de la Vasura, six leagues and a half to seven distant, north 40 degrees west; Puerto Blanco, two leagues and a half distant, north 85 degrees west; Sierra de Santa Teresa, forty miles distant, north 60 degrees east; Cerro del Potrero, about one mile distant, south 65 degrees west; Cerro del Alamo Muerto, ten leagues distant, south 87 degrees west; Cerro de la Calera, two leagues and a half distant, south 70 degrees west; Sierra de la Mosca (Cordillera), south 45 degrees west; Sierra del Viejo, seven or eight leagues distant, south 30 degrees west; Sierra de Aquituni, eight or nine leagues distant, south 5 degrees west; Cerro de Cañedo (range), east to south 30 degrees east. Puerto del Alamo, five leagues, north 10 degrees east, and Puerto del Chanate, five leagues, north 20 degrees east, are two passes in the mountains through which it is said good direct roads can be found from Cahorca to Los Paredones, which would shorten the road from Libertad to bring it via Cahorca and these passes to Los Paredones. Don Jesus Rivera and Don Miguel Carmelo agreed to examine these passes and the route, to take a cart and test them thoroughly and inform me of the result; they say that water and grass can be found at convenient distances. The Chanate Ranch is en route via the Chanate Pass, where there is good water and grass. I can recommend the following residents of Cahorca as excellent guides, viz:

Antonio Ramirez in regard to various routes to the coast; Jose de los Santos and Mariano Molino to Arizona and the various routes to different sections of Sonora. The district of Altar is supplied with salt to a great extent from Cahorca. It is brought from La Salina and Cerro del Tanque.

On the 4th I left Cahorca and arrived same day at Pitiquito, a town of 1,200 inhabitants, including the small farmers in the immediate neighborhood. Pitiquito is on the right bank of the Altar River, six and fifty-four hundredths miles east of Cahorca and fourteen miles south 82 degrees west of Altar, and about five miles below the confluence of the Altar and Magdalena or San Ignacio rivers. This is the first pueblo in point of agriculture in the district. The soil is very fertile, and the quantity under cultivation is limited compared with what can be cultivated. The extent at present under crops is about four miles in length by two along the river banks, all irrigated. Of wheat they raise annually 8,000 fanegas; of corn, say 2,000 fanegas; some barley, beans, sugar-cane, tobacco, the usual fruits, and vegetables are raised in sufficient quantities for home consumption. Prices the same as at Cahorca. Some little crystallized sugar and considerable panoche are manufactured here. Tobacco and cotton also flourish. There are probably about 2,000 head of cattle owned in this pueblo, a few sheep, horses, and mules, but very few. There are two flour mills, one owned by Don Pedro Selaya and the

other by Don Donisio Gonzales, both horse or mule power, there being no water-power on the river below Oquitva. There are three arrastres crushing quartz belonging to Don Francisco Gastela. The quartz is brought from El Saucito, four leagues and a half west. Yield of gold about $56 per ton. The sierras in this vicinity, as in those of all the pueblos, are mineral. In Pitiquito there are four stores, one blacksmith shop, one millwright (American), one carpenter, and shoemakers, silversmiths, saddle makers, &c. Don Faustino Feliz is the mayor or presidente de la municipalidad of Pitiquito. To him, Don Salvador Mendez, and Don Francisco Gastela we are indebted for much kindness, and to Rafael Rivera also. These gentlemen are public-spirited and intelligent. They took immediate steps to improve the road to and from their town, and on our return we found two miles of a new road made and the road over the hill toward Altar smooth and level, they having removed loose stones and rocks therefrom. They and the people of this place are to make a new road for six to ten miles toward Libertad, shortening and improving the route considerably. The following sierras are seen from the church top, viz:

Sierra Alta de Pitiquito, just at town, north 60 degrees west; Sierra de San Hilario, north 30 degrees west; Sierra de Chucurate, three to four leagues, north 20 degrees east; Sierra de la Gamuza, south 45 degrees east; Sierra de Aquituni, eight to nine leagues, south 17 degrees east; Cerro de la Campana south, and the Sierras del Quizuan and del Agua Salado (directions lost).

On the morning of the 5th of November left Pitiquito and arrived same day at Altar, the capital of the district of the same name, situated on the right bank of the river. It has a population of 1,050 within the town, and, including the farms and little ranchos in the vicinity, 2,000 in all. The extent of land under cultivation here is limited. Scarcely enough for home consumption is raised. The town is, like the others on the river, built of adobes, the houses being with one exception one story high. The productions are the same as in Pitiquito and Cahorca, with few exceptions. The water of the river (called so by courtesy, I suppose, for it is only an insignificant rivulet) diminishes in volume every year. The rains for many seasons have been very light, and many of the springs and little affluents to the river lose themselves in the sand. Agricultural and other products can be obtained here at same prices as at the other towns. There is no flour mill. There are, however, ten stores, two blacksmiths, two tailors, one wheelwright, six silversmiths, an old church, and the only priest in the district resides here. Here I may say, *en passant*, that everything in the way of buildings, mills, workshops, mechanical labor, implements, &c., is of the most primitive description. Though the Mexicans have in such great numbers from this district been in California, they appear to have profited but little by the example of American mechanics and American industry. The district is sparsely settled, more from the fear of the dread Apache than anything else. The country has been laid waste and desolate by these Indians; cattle have been run off from ranches having tens of thousands, and lives sacrificed in numbers to make the recital cause one to shudder. There is so little stock left now in Sonora that the Indians are obliged to come to the very corrals in the towns to steal animals. Without the extermination of the Apaches or the settlement of Sonora by a different race, the entire depopulation and ruin of the State is only a question of time. In former years horses, cattle, and sheep were

in such numbers over the whole country that the owners had but a vague idea of the numbers they possessed. Horses were sold at $5 to $10; cattle, $2 to $3. Now a good horse of the Sonora stock, small, ugly, but of the most surprising endurance, costs $100. The mountains surrounding Altar are Carnero Range, to the east two or three miles distant; through this sierra there is a pass to La Magdalena. Highest point of the Sierra del Chino, thirteen miles, south 20 degrees east; Sierra del Chanate, fifteen to eighteen miles westerly. The prefect, Don Jose Maria Redondo, lives in Altar. He politely gave me letters to the presidents of Pitiquito and Cahorca, instructing them to afford me every facility possible in the performance of my duties, and to furnish guides free of charge. From the principal people of Altar, as well as of the other towns, we received proofs of friendship and hospitality, though their country has been cursed with the presence of straggling bands of vagabond Americans and others speaking the English language, mistaken for Americans, who are not only a disgrace to themselves, but to the Anglo-Saxon race. The prefect had issued instructions to the authorities on the river at Oquitva, El Atil, Tubatama, and Saric to repair roads and make new ones where necessary on the route to Tucson by the river.

On the morning of the 6th started for Oquitva, a small town of 500 inhabitants, six miles and a fifth, north 25 degrees east of Altar, on the right bank of the river. This is entirely an agricultural population. The harvest of wheat is 5,000 fanegas, about 2,000 of corn, some barley, and beans. Barley is sown in larger quantities this year. The usual fruits, sugar-cane, tobacco, &c. The river bottom is very fertile, and yields prolific harvests where the soil is irrigated. Here are four flour mills, having each one run of stones. There is a good deal of water power here. It is very favorably situated for manufactories. The town is surrounded by hills, barren, bleak, and said to be mineral. Fuel is abundant, and in the immediate vicinity. Beef-cattle and grazing scarce. There is a church. No stores or mechanics. The presidente de la municipalidad is Basilio Caballero.

At 2 p. m. same day arrived at El Atil, a village eleven miles and two-thirds from Oquitva, on the river. It contains about 100 inhabitants (Indians), with the exception of five or six Mexican families. There is considerable good arable land under cultivation here, yielding annually of wheat 7,000 fanegas, 1,000 to 2,000 fanegas of corn, and some barley. Of the latter, as in other pueblos, more than usual has been sown this season, and for the same reason. There is some water power here also, the only flour mill, belonging to Don Miguel Zepeda, being propelled by water. There is an old church here. There are no stores or mechanics; but very few cattle or stock of any kind. Abundance of corn fodder and grain can be had here for trains at the usual prices. Don Manuel Hugues is the juez local, and only authority in El Atil. The country is more open here. There is considerable grazing also, and fuel at hand. The sierras in the vicinity and view are Santa Teresa, five miles northeast, said to be rich in copper; El Carrisal, a range running east and west, nearest point six to nine miles distant, northerly; El Atil, a small hill half a mile south.

On the morning of the 7th started for Tubatama, a town of 800 inhabitants. It is entirely surrounded by hills, and stands upon a knoll seventy-five to eighty-five feet high on the left bank of the Altar River, the bottom lands of which are here extremely fertile and well cultivated, under corn, wheat, sugar-cane, tobacco, beans, some barley, the various vegetables and fruits of this latitude. The annual

crop of wheat is 4,000 fanegas; corn about 1,500 fanegas. The castor-oil bean grows here in the rankest luxuriance. Corn broom and wild cane attain a growth of fifteen to twenty-five feet high. There is little commerce, only one store, and no mechanical industry, except perhaps one carpenter and blacksmith. Here is a very old church, one bell of which has the date of 1738 stamped on it. The church is hung with life-size portraits of saints and various tableaux of a religious character of no mean style of art. Here the erratic Count Raoussett de Boulbon and his misguided followers made their head-quarters. Tubatama is eight miles north 70 degrees east from El Átil. There are four flour mills here, all driven by water power, of which there is an abundance, considering the volume of water in the river. Many factories could be established here. There is but one store, owned by the presidente, Francisco Ochoa. The sierras in view from the top of the church are:

El Carrisal, two leagues northwest; El Sombreretillo, a conical hill, five leagues north; Santa Teresa, two miles, south 40 degrees west; Joanáqui, one mile northeast; San Juan, four miles, north 15 degrees east; Cerro del Chile, nine or ten leagues, north 26 degrees east; Babocómori, a low hill, four or five leagues, north 25 degrees east. Encamped this day at Babocómori Ranch.

Next day, the 8th, passed through the town of Saric, the last on the river. A colony of Chilenos settled here in 1858, then an old mission. It is situated on the right bank of the Altar River, nestled in a valley entirely surrounded by hills. The population is 500, principally engaged in mining and agriculture. The river bottom in the vicinity is very fertile, with abundance of water for irrigation. Here the harvest of wheat is 2,000 fanegas; of corn say 1,000 fanegas; barley uncertain. For the supply of future demands the barley crops will be much increased here, as on all the river bottom. The usual vegetables are raised here, but fruit is scarce on account of the recent settlement of the place. The valley is cultivated for one mile below and three miles and a half above the town. In the vicinity of Saric there is a considerable growth of heavy mesquite, ash, cottonwood, walnut, and some oak fit for lumber. There are two flour mills here, one carpenter and wagonmaker's shop; one blacksmith shop, three shoemakers, four smelting furnaces (for silver ore), one silversmith, one saddler, and one quartz mill. The president of the municipality is Don Bartolo Bárcelo, who, under instruction from the prefect, has set about repairing and changing the road in the vicinity. Part of this labor was performed when I passed, and the work was to proceed to completion at once.

I inclose also an itinerary of this route from Altar to Tucson, in which and in the two others appended * I have endeavored to give every object of interest a place, and to represent with fidelity the features and resources of the country with respect to the object of my mission. Having spent only four days at La Libertad, a few hours at Lobos Bay, and one day going and another returning at Altar, and one day at Pitiquito, and riding on an average twenty-five miles a day during the trip, I hope my efforts may prove satisfactory—more so to the commanding general than they do to myself. My powers of description and command of language are but limited, and I am therefore unable to do justice to a subject deserving the labors of an abler pen. The rest of the routes are described in the itineraries. All is crude, undigested, principally for want of talent in this line, and also from

* Itineraries omitted.

want of time, as my instructions require that I leave for the Rio Grande the first opportunity, which will be in a day or two. I am in hopes that with some trouble in making the proper reconnaissances, better and shorter routes may be discovered hence to the gulf, and also from this section, say Tubac, to the Rio Grande. I am informed that sixty miles can be saved in distance by taking a route from Tubac to La Mesilla, instead of going via Tucson and the present road, and over a superior road having wood, water, and grass at convenient distances. To sum up—both routes traveled by me to La Libertad are practicable for heavy freighting. Each possesses advantages over the other. The one via Altar possesses the advantage of passing through towns and settlements where all the requisites of water, fuel, forage, &c., are obtained in great abundance at short intervals, but the roads are not so level or so well adapted for very heavy loads as the route via Zazabe and the Paredones; which route, however, has no settlement whatever between the Mina Colorada and Zepeda's Ranch, fourteen miles from Altar, though, as before stated, the whole country is adapted for stock raising and for ranches, where considerable produce can be raised, should wells be dug and artificial dams be made. The difference in distance is in favor of the latter route, as by avoiding Altar and going direct to Pitiquito from Zepeda's Ranch, fourteen miles can be saved, thus reducing the distance on that route to 211.24 miles, while the route via the Altar River is 226.11 miles. It may not be amiss to state here that the rainy season usually commences in this latitude on or about the 24th of June, and continues during July, August, and part of September. About the middle of November the country in Sonora toward the gulf is visited with rains called las equipatas. The winter rains fall in December, January, and February. Snow is not unfrequent in this territory in winter. Trains en route from La Libertad to Tucson will require to be guarded against Apaches. That a military escort will be necessary I do not believe, provided teamsters and herders are armed, under a careful wagon-master, who will exact vigilance and obedience. Mexicans travel safely and herd their animals at night. At Libertad the danger from Indians is but very little. Apaches have been known to visit there only once. The Tepoca and Ceres (or Seris) inhabit the coast to the south of the port. They depredate upon the settlements on the Sonora River generally, and when pursued cross to Tiburon Island, in the gulf. It is very unusual for them to come farther north than La Cienega. One man was left in charge ot produce stored at Libertad for several months lately; so that if any settlement be formed at the port a military force will not, in my opinion, be required.

I am, sir, very respectfully, your obedient servant,

D. FERGUSSON,
Major, First Cavalry California Volunteers.

EXECUTIVE DEPARTMENT,
Columbus, Ohio, February 1, 1863.

Hon. E. M. STANTON,
Secretary of War:

Referring to my letter of this date by Quartermaster-General Wright, if the necessity for more troops is probable, I have to advise the adoption of a uniform system of drafting. With this Ohio will,

in my opinion, respond to any further calls made upon her, but without it it would be impossible to raise any considerable number.

Efforts to fill up the old regiments are still being made, but our success has [been] trifling for the past sixty days. I have to advise, however, that the effort be continued.

Respectfully, yours,

DAVID TOD,
Governor.

Statement showing number of men for old regiments furnished by the States, respectively, from August 15, 1862, to January 31, 1863, as reported weekly and daily by telegram.

Connecticut	608
Delaware	46
Indiana	3,854
Illinois	3,098
Iowa	1,229
Kentucky	879
Kansas	4
Maine	643
Massachusetts	5,151
Maryland	1,226
Michigan	2,194
Missouri	1,252
Minnesota	113
New Jersey	446
New York	17,468
New Hampshire	453
Ohio	6,544
Pennsylvania	9,812
Rhode Island	1,085
Tennessee	
Vermont	1,367
Virginia	1,172
Wisconsin	1,573
Total	59,717
Recruits for old regiments to include November 21, 1862 (previous statement)	49,990
Increase since November 21, 1862	9,727

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
February 2, 1863.

BOSTON, *February 3, 1863.*

Hon. E. M. STANTON:

Congressional bill passed House of Representatives does not prohibit colored officers in colored regiments. Will you withdraw prohibition so far as concerns line officers, assistant surgeons, and chaplain of my proposed colored regiment? It will avoid difficulty. Power would not be used except possibly for few cases of plainly competent persons recommended by the field officers, who shall be gentlemen and soldiers of highest merit and influence.

JOHN A. ANDREW.

GENERAL ORDERS, No. 30. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, February 4, 1863.*

Paragraph 1341, General Regulations, and General Orders, No. 86, of July 23, 1862, paragraph IV, are hereby modified so as to require that applications for payment in cases where certificates of discharge or final statements are lost or destroyed, shall be made to the Second Auditor of the Treasury instead of the Second Comptroller.

By order of the Secretary of War:

L. THOMAS,
Adjutant-General.

WAR DEPARTMENT,
Washington City, February 9, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: In obedience to your verbal directions I have the honor to submit the following report concerning the Provost-Marshal-General's Bureau organized by General Orders, No. 140, of 1862.

The time which has elapsed since the order was issued has only served to show more conclusively than ever the necessity of some vigorous and effective measures for arresting and returning to the service stragglers and deserters from the Army.

Their number is continually increasing, and their influence on the Army and the community is becoming every day more injurious, not only reducing the forces in the field and exciting discontent throughout the country, but tending greatly to bring into contempt the authority of the Government. Desertion is no longer regarded as a crime among the class of men who are guilty of it, but has come to be considered as only an expert method of obtaining money by bounties and hire as substitutes.

The system established by General Orders, No. 140, has certainly failed, in a great measure, to effect its intended object.

This may be owing to defects in the plan, but I respectfully suggest that it may be otherwise accounted for, and I beg leave here to state some of the causes which appear to me to have produced its failure.

The first one is the insufficient number of special provost-marshals. It is supposed that more than 100,000 persons are now absent from the Army who ought to be on duty in it.

To arrest and send back so large a number is a work of no ordinary magnitude, and the means for accomplishing it should be commensurate with its extent. The expense is doubtless an important consideration, but when compared with the importance of the work it ought not to be an obstacle. It should be done at any necessary cost. I am still of the opinion that one special provost-marshal to each Congressional district is not too many. It would save the necessity of appointing deputies, and bring the entire system more directly under the control of the office at Washington.

The second cause of failure in the plan is the lack of certainty in the compensation of these officers. Their pay should be fixed, and the time and manner of payment should be definitely arranged. Without this they cannot take that interest in the service which will secure efficiency.

The expenses also of arresting and returning deserters, as well as other expenses attending the discharge of duty by these officers, should

be regulated on some plan that will secure proper responsibility and economy as well as prompt payment upon proper vouchers.

But the most important point necessary to the success of the system is the establishment and thorough organization of the bureau at Washington. The order was not intended as anything more than the basis of the system. Its details must be arranged and adapted to the nature of the service by a mind exclusively devoted to the subject, and which is to be its director and manager. The numerous contingencies that must arise from time to time, and which cannot be foreseen, must be met as they arise, and provided for in a manner that shall harmonize with the general system. Full and complete instructions should be framed for the government of subordinate officers in the discharge of all their duties, so as to produce uniformity of administration and prevent injustice and oppression, as well as produce energy and efficiency in the Department. Proper blanks are to be provided, a system of reports established; information obtained should be filed, tabulated, and arranged for constant use and reference. The inspiration of vigor in the entire system must come from its head, who should be in constant and direct communication with the War Department, and be of sufficient rank and position to sustain and be held to the responsibility incident to so important an office.

With these conditions fulfilled, I do not doubt that all the good results expected from the plan contemplated in General Orders, No. 140, will be fully realized.

Very respectfully, your obedient servant,

C. P. BUCKINGHAM,
Brigadier-General and Assistant Adjutant-General.

GENERAL ORDERS, No. 38. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, February 10, 1863.*

General Orders, No. 154, and paragraph I, of General Orders, No. 162, of 1862, authorizing the enlistment of volunteers in the Regular Army, are hereby rescinded.

By order of the Secretary of War:

L. THOMAS,
Adjutant-General.

ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., February 10, 1863.

Captain SILVEY,
Providence, R. I.:

SIR: The Governor of Rhode Island is hereby authorized to raise a colored regiment of infantry or heavy artillery, so called, to be organized according to the rules and regulations of the service and officered by white officers.

The U. S. mustering officer will muster them by companies or as presented, for a service of three years or during the war. The proper departments will furnish all supplies of clothing, arms, subsistence, and equipments upon proper requisitions. The colonel, lieutenant-colonel, adjutant, quartermaster, surgeon, and chaplain, and all commissioned officers shall be mustered into the U. S. service according to the regulations.

The same authority is hereby granted for the raising of this regiment as is granted in the case of white regiments.

By order of the Secretary of War:

L. THOMAS,
Adjutant-General.

GENERAL ORDERS, No. 40. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, February 11, 1863.*

The following acts of Congress are published for the information and government of all concerned:

* * * * * * *

II. PUBLIC—No. 17.

AN ACT to authorize the raising of a volunteer force for the better defense of Kentucky.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Governor of the State of Kentucky, by the consent and under the direction of the President of the United States, shall have power to raise and organize into regiments a volunteer force not exceeding twenty thousand, rank and file, to be raised within the State of Kentucky, to serve for the term of twelve months, to be employed within the limits of Kentucky in repelling invasion, suppressing insurrection, and guarding and protecting the public property: *Provided*, That at any time it may be necessary, in the discretion of the President of the United States, these troops may be employed out of the limits of Kentucky against the enemies of the United States.

SEC. 2. *And be it further enacted*, That the regimental and company officers shall be appointed and commissioned by the State of Kentucky, according to the laws thereof: *Provided*, That the officers of said regiments shall be entitled to pay only when the regiments or companies are filled as now required by law, and while in actual service.

SEC. 3. *And be it further enacted*, That the regiments, when raised and officered as aforesaid, shall be mustered into the service of the United States and be subject to the command of the President of the United States.

SEC. 4. *And be it further enacted*, That the officers and soldiers thus enrolled and mustered into service shall be subject to the Rules and Articles of War, and shall be placed on the same footing as other volunteers in the service of the United States as to pay, subsistence, clothing, and other emoluments, except bounty, for and during the time they may be in actual service.

SEC. 5. *And be it further enacted*, That a portion of this volunteer corps, not exceeding two regiments, may, when necessary, in the opinion of the President of the United States, be mounted and armed as mounted riflemen.

SEC. 6. *And be it further enacted*, That the President shall have power to make such other regulations in regard to the organization and service of this force as he shall deem expedient for the interest of the service.

SEC. 7. *And be it further enacted*, That, by and with the consent of the President of the United States, the volunteers authorized to be raised by this act, or any portion of them, may be attached to and become part of the body of the three-years' volunteers, according to such rules and regulations as the President of the United States may prescribe.

Approved February 7, 1863.

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IV. PUBLIC—No. 19.

AN ACT making appropriations for the support of the Army for the year ending the thirtieth of June, eighteen hundred and sixty-four, and for a deficiency for the signal service for the year ending June thirty, eighteen hundred and sixty-three.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same

are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Army for the year ending the thirtieth of June, eighteen hundred and sixty-four:

For expenses of recruiting, transportation of recruits, and compensation to citizen surgeons for medical attendance, two hundred and seventy-five thousand dollars.

For bounties and premiums for recruits of the Regular Army, three hundred and twenty-four thousand dollars.

For bounties for recruits of the volunteer service, five million dollars.

For collecting, drilling, and organizing volunteers, and all other necessary expenses, ten million seven hundred thousand dollars.

For pay of the Army, nine million five hundred and ninety-six thousand five hundred and thirty-eight dollars.

For commutation of officers' subsistence, one million six hundred and twenty thousand and forty-eight dollars.

For commutation of forage for officers' horses, one hundred and four thousand six hundred dollars.

For payments to discharged soldiers for clothing not drawn, one hundred and fifty thousand dollars.

For payments in lieu of clothing for officers' servants, seventy-six thousand nine hundred and seventy dollars.

For pay of volunteers under acts of twenty-second and twenty-fifth of July, eighteen hundred and sixty-one, two hundred and sixty-six million four hundred and ten thousand nine hundred and eighty-one dollars and six cents.

For subsistence in kind for regulars, volunteers, engineers, Indians, and hospital stewards, one hundred and forty million one hundred and thirty-two thousand six hundred and eighty-nine dollars and twenty cents.

For the regular supplies of the Quartermaster's Department, consisting of fuel for the officers, enlisted men, guard, hospitals, store-houses, and offices; of forage in kind for the horses, mules, and oxen of the Quartermaster's Department at the several posts and stations, and with the armies in the field; for the horses of the several regiments of cavalry, the batteries of artillery, and such companies of infantry as may be mounted, and for the authorized number of officers' horses when serving in the field and at the outposts, including bedding for the animals; of straw for soldiers' bedding, and of stationery, including blank books for the Quartermaster's Department, certificates for discharged soldiers, blank forms for the Pay and Quartermaster's departments; and for the printing of division and department orders and reports, sixty-seven million two hundred and seventeen thousand seven hundred and ninety-one dollars.

For the incidental expenses of the Quartermaster's Department, consisting of postage on letters and packets received and sent by officers of the Army on public service; expenses of courts-martial and courts of inquiry, including the additional compensation of judge-advocates, recorders, members, and witnesses, while on that service, under the act of March sixteenth, eighteen hundred and two; extra pay to soldiers employed, under the direction of the Quartermaster's Department, in the erection of barracks, quarters, store-houses, and hospitals; in the construction of roads, and on other constant labor, for periods of not less than ten days, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four, including those employed as clerks at division and department headquarters; expenses of expresses to and from the frontier posts and armies in the field; of escorts to paymasters and other disbursing officers, and to trains where military escorts cannot be furnished; expenses of the interment of officers killed in action, or who die when on duty in the field, or at posts on the frontiers, or at other posts and places when ordered by the Secretary of War, and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the Quartermaster's Department, including the hire of interpreters, spies, and guides for the Army; compensation of clerks to officers of the Quartermaster's Department; compensation of forage and wagon-masters, authorized by the act of July fifth, eighteen hundred and thirty-eight; for the apprehension of deserters, and the expenses incident to their pursuit; and for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry as may be mounted, viz: The purchase of traveling forges, blacksmiths' and shoeing tools, horse and mule shoes and nails, iron and steel for shoeing, hire of veterinary surgeons, medicines for horses and mules, picket ropes, and for shoeing the horses of the corps named; also, generally, the proper and authorized expenses for the movements and operations of an army not expressly assigned to any other department, nineteen million one hundred and twenty-five thousand dollars.

For the purchase of cavalry and artillery horses, twenty-three million one hundred and eighty-nine thousand three hundred and seventy-five dollars.

For mileage, or the allowance made to officers of the Army for the transportation of themselves and their baggage when traveling on duty without troops, escorts, or supplies, one million of dollars.

For transportation of the Army, including the baggage of the troops when moving, either by land or water; of clothing, camp and garrison equipage, from the depots at Philadelphia and New York and Cincinnati to the several posts and army depots, and from those depots to the troops in the field; and of subsistence from the places of purchase and from the places of delivery under contract to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance stores, and small-arms from founderies and armories to the arsenals, fortifications, frontier posts, and army depots; freights, wharfage, tolls, and ferriages; for the purchase and hire of horses, mules, oxen, and harness, and the purchase and repair of wagons, carts, and drays, and of ships and other seagoing vessels and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay and other disbursing departments; the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific; and for procuring water at such posts as, from their situation, require it to be brought from a distance; and for clearing roads, and removing obstructions from roads, harbors, and rivers, to the extent which may be required for the actual operations of the troops in the field, fifty-six million five hundred thousand dollars.

For hire or commutation of quarters for officers on military duty; hire of quarters for troops; of store-houses for the safe-keeping of military stores; of grounds for summer cantonments, for the construction of temporary huts, hospitals, and stables, and for repairing public buildings at established posts, eight million dollars.

For heating and cooking stoves, one hundred and forty thousand dollars.

For telegraph for military purposes, and for expenses in operating the same, five hundred thousand dollars.

For supplies, transportation, and care of prisoners of war, one million five hundred thousand dollars.

For contingencies of the Army, six hundred thousand dollars.

For clothing for the Army, camp and garrison equipage, and for expenses of offices and arsenals, seventy-six million two hundred and eighty-one thousand nine hundred and eleven dollars and fifty-four cents.

For medicines, instruments, dressings, and so forth, for the Regular Army, one hundred and fifty-five thousand dollars.

For hospital stores, bedding, and so forth, for the Regular Army, one hundred thousand dollars.

For hospital furniture and field equipments, for the Regular Army, thirty thousand dollars.

For medical books, stationery, and printing, for the Regular Army, eight thousand seven hundred and fifty dollars.

For private physicians and medicines furnished by them, for the Regular Army, fifty-seven thousand five hundred dollars.

For hire of clerks and laborers in purveying depots, for the Regular Army, one thousand six hundred dollars.

For continuing meteorological observations and tabulating the same, under the direction of the Surgeon-General, for the Regular Army, five hundred dollars.

For contingencies, for the Regular Army, two thousand one hundred and fifty dollars.

For compensation of soldiers acting as cooks and nurses, under the acts of August sixteen, eighteen hundred and fifty-six, and March three, eighteen hundred and fifty-seven, for the Regular Army, two thousand dollars.

For ice, fruits, and other comforts, under acts of August three, eighteen hundred and sixty-one, and July five, eighteen hundred and sixty-two, for the Regular Army, twenty thousand dollars.

For citizen nurses, under act of July five, eighteen hundred and sixty-two, for the Regular Army, four thousand dollars.

For hospital clothing for the Regular Army, fifteen thousand dollars.

For care of sick soldiers in private hospitals, for the Regular Army, eighteen thousand five hundred dollars.

For artificial limbs for soldiers for the Regular Army, and seamen, five thousand dollars.

For medicines, instruments, dressings, and so forth, for the volunteers, four millions of dollars.

For hospital stores, bedding, and so forth, for the volunteers, three million five hundred thousand dollars.

For hospital furniture and field equipments, for the volunteers, one million dollars.

For medical books, stationery, and printing, for the volunteers, one hundred thousand dollars.

For private physicians and medicines furnished by them for the volunteers, four hundred thousand dollars.

For hire of clerks and laborers in purveying depots for the volunteers, twenty-five thousand dollars.

For continuing meteorological observations and tabulating the same, under the direction of the Surgeon-General, for the volunteers, one thousand dollars.

For contingencies, for the volunteers, twelve thousand five hundred dollars.

For compensation of soldiers acting as cooks and nurses, under the acts of August sixteen, eighteen hundred and fifty-six, and March three, eighteen hundred and fifty-seven, for the volunteers, seventy-five thousand dollars.

For ice, fruits, and other comforts, under acts of August three, eighteen hundred and sixty-one, and July five, eighteen hundred and sixty-two, for the volunteers, one hundred and seventy thousand dollars.

For citizen nurses, under act of July five, eighteen hundred and sixty-two, for the volunteers, one hundred thousand dollars.

For hospital clothing, for the volunteers, eighty thousand dollars.

For care of sick soldiers in private hospitals, for the volunteers, one hundred and sixteen thousand five hundred dollars.

For artificial limbs for volunteer soldiers and seamen, forty-five thousand dollars.

For the Army Medical Museum, five thousand dollars.

For medicine and medical attendance for negro refugees (commonly called contrabands), fifty thousand dollars.

For contingent expenses of the Adjutant-General's Department at department headquarters, two thousand dollars.

For expenses of the Commanding General's office, ten thousand dollars.

For armament of fortifications, two million five hundred thousand dollars.

For the current expenses of the ordnance service, nine hundred thousand dollars.

For ordnance, ordnance stores, and supplies, including horse equipments for all mounted troops, six million five hundred and forty-five thousand dollars.

For the manufacture of arms at the national armory, two million eight hundred and eighty thousand dollars.

For repairs and improvements and new machinery at the national armory at Springfield, Mass., one hundred and fifty thousand dollars.

For the purchase of gunpowder and lead, two million four hundred and eighty thousand dollars.

For additions to and extensions of shop room, machinery, tools, and fixtures at arsenals, five hundred thousand dollars.

For purchase and manfacture of arms for volunteers and regulars, and ordnance and ordnance stores, fourteen million nine hundred and sixty thousand dollars.

For surveys of military defenses, one hundred and fifty thousand dollars.

For purchase and repair of instruments, ten thousand dollars.

For printing charts of lake surveys, fifteen thousand dollars.

For continuing the survey of the northern and northwestern lakes, including Lake Superior, one hundred and six thousand eight hundred and seventy-nine dollars.

For the signal service of the United States Army, one hundred and fifteen thousand eight hundred and ninety-one dollars.

For deficiency for signal service for the United States Army for the year ending June thirty, eighteen hundred and sixty-three, twelve thousand two hundred and twenty-five dollars.

SEC. 2. *And be it further enacted*, That no money shall be paid from the Treasury of the United States to any person acting or assuming to act as an officer, civil, military, or naval, as salary in any office, which office is not authorized by some previously existing law, unless where such office shall be subsequently sanctioned by law, nor shall any money be paid out of the Treasury, as salary, to any person appointed during the recess of the Senate, to fill a vacancy in any existing office, which vacancy existed while the Senate was in session and is by law required to be filled by and with the advice and consent of the Senate, until such appointee shall have been confirmed by the Senate.

Approved February 9, 1863.

V. PUBLIC—No. 23.

AN ACT to promote the efficiency of the Commissary Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be added to the Subsistence Department of the Army one brigadier-general, to be selected from the Subsistence Department, who shall be Commissary-General of Subsistence, and by regular promotion one colonel, one lieutenant-colonel, and two majors, the colonels and lieutenant-colonels to be assistant commissaries-general of subsistence; and that vacancies in the above-mentioned grades shall be filled by regular promotion in said department. And the vacancies created by promotions herein authorized may be filled by selections from the officers of the regular or volunteer force.

Approved February 9, 1863.

By order of the Secretary of War:

L. THOMAS,
Adjutant-General.

DEPARTMENT OF THE INTERIOR, CENSUS OFFICE,
Washington, February 11, 1863.

Hon. J. P. USHER,
Secretary of the Interior:

SIR: Respecting the number of free colored persons in the United States of the arms-bearing age, I have the honor to submit tabular statements, herewith accompanying, which show the number of such persons of eighteen and under forty-five, and hypothetically the proportion in the free States which may be supposed available from this population upon the data furnished by the number of white persons who have entered the military service from the various States and Territories. In my opinion the number of colored persons in the free States physically conditioned to bear arms is less in a given population than the number of whites, from the fact that the free colored population in the North is made to hold its numbers by supply from the South rather than by that natural increase from generation incident to good conditions. This view is sustained by the current reports on mortality, which in many instances prove the number of deaths among the free colored to be greater than the births. The increase among this population in Massachusetts from 1840 to 1850 was less than 5 per cent., and from 1850 to 1860 less than 6 per cent. In Maine and New Hampshire, Vermont and New York they have actually decreased, which fact, taken in connection with the small aggregate increase of 12 per cent., North and South, in ten years from all causes, proves beyond question that the race would not advance in the Northern States but by artificial conditions, and that physically it is under its present circumstances neither equal to the slave nor free population.

In my opinion the number of the free colored population has always been overestimated from the fact of their concentration in cities and large towns and their employment in outdoor avocations, whereas if employed in factories and trades and on farms they would escape observation and be almost lost sight of. I am equally convinced that while climate has much to do with their physical condition, their general mode of life, incident to caste and condition, has probably equal effect upon their vitality. Be the reasons what they may, the fact is evident that the colored population in the Northern and Western States holds an inferior place physically to the whites, and could hardly be relied upon to supply proportionate numbers of able-bodied men. From the tables presented it appears that the whole number of free

colored men in the United States of the arms-bearing age amounts to less than 91,000, and that they are nearly equally divided between the free and slave-holding States. If, however, we concede the probability of this class of persons enlisting for military duty in numbers proportionate to the white population, they would in all the States and Territories supply 18 regiments of 1,000 men each, while the non-slave-holding States and the District of Columbia would supply nearly 10 regiments. The State of Maine would furnish 50 men, New Hampshire 20, Massachusetts 400, Rhode Island 160, Vermont 30, New York and Pennsylvania could supply 4,000, while in any other State but Ohio it would be impossible to raise a full regiment. I send you also a table giving the number of slaves in the United States of the arms-bearing age, which reaches nearly the figure of 750,000, the condition and circumstances of whom preclude all calculations as to what proportion could be made available as men at arms.

I have the honor to be, very respectfully, your obedient servant,

JOS. C. G. KENNEDY,
Superintendent.

[Inclosure No. 1.]

States.	White males between the ages 18 and 45.	Free colored males between the ages 18 and 45.	Slave males between the ages 18 and 45.
Alabama	99,967	391	83,945
Arkansas	65,231	22	23,088
California	169,975	1,918	.....
Connecticut	94,411	1,760	.....
Delaware	18,273	3,597	289
Florida	15,739	131	12,028
Georgia	111,005	583	83,819
Illinois	375,026	1,622	.....
Indiana	265,295	2,219	.....
Iowa	139,316	349	.....
Kansas	27,976	126	.....
Kentucky	180,589	1,650	40,285
Louisiana	83,456	3,205	75,548
Maine	122,238	272	.....
Maryland	102,715	15,149	16,103
Massachusetts	258,419	1,978	.....
Michigan	164,007	1,622	.....
Minnesota	41,236	61	.....
Mississippi	70,295	130	85,777
Missouri	232,781	701	20,466
New Hampshire	63,610	103	.....
New Jersey	182,219	4,866	.....
New York	796,881	10,208	.....
North Carolina	115,369	5,150	55,020
Ohio	459,534	7,161	.....
Oregon	15,781	38	.....
Pennsylvania	555,172	10,844	.....
Rhode Island	35,502	809	.....
South Carolina	55,046	1,522	70,798
Tennessee	159,353	1,162	50,047
Texas	92,145	62	38,140
Vermont	60,580	140	.....
Virginia	196,587	9,309	92,119
Wisconsin	159,335	292	.....
Colorado	29,377	5	.....
Dakota	735	5	.....
District of Columbia	12,797	1,823	.....
Nebraska	8,920	15	.....
Nevada	5,344	27	.....
New Mexico	19,003	16	.....
Utah	6,880	5	.....
Washington	5,905	17	.....
Total	5,624,065	90,955	745,477

[Inclosure No. 2.]

Non-slave-holding States—Free colored males between 18 and 45.

States.	Males.	Number available in the ratio wherewith the whites have been supplied.a
California	1,918	383
Connecticut	1,760	352
Illinois	1,622	324
Indiana	2,219	444
Iowa	249	49
Kansas	126	25
Maine	272	54
Massachusetts	1,973	394
Michigan	1,622	324
Minnesota	61	12
New Hampshire	103	20
New Jersey	4,866	973
New York	10,206	2,041
Ohio	7,161	1,432
Oregon	38	7
Pennsylvania	10,844	2,169
Rhode Island	809	162
Vermont	140	28
Wisconsin	292	58
Colorado	5	1
Dakota	5	1
Nebraska	15	3
Nevada	27	5
New Mexico	16	3
Utah	5	1
Washington	17	3
District of Columbia	1,623	324
Total	48,191	9,631

a The War Department declines giving the figures to enable me to fill this column officially, but the figures in the column will prove very near true.

J. C. G. K.

WAR DEPARTMENT,
Washington City, February 11, 1863.

Hon. EDWIN D. MORGAN,
New York:

SIR: In answer to a letter handed by you to the Hon. C. P. Wolcott, late Assistant Secretary of War, I have the honor to inform you that your resignation as major-general of volunteers was duly accepted on the 27th of December, 1862, to take effect on the 1st day of January, 1863, agreeably to your own request.

The Secretary instructs me to say that he has delayed sending you the usual routine notification of acceptance, hoping that the pressure of urgent public business might be so far relaxed as to afford him an opportunity to acknowledge in fitting terms his sense of the hearty co-operation and valuable assistance he uniformly received from you as Governor of New York and as a military officer in the service of the United States. The pressure of public duties has become so great as to deprive him of all hope of being able to write in person, and you therefore merely receive this note of acceptance.

I have the honor to be, your obedient servant,

P. H. WATSON,
Assistant Secretary of War.

WAR DEPARTMENT,
Washington, February 12, 1863.

Major-General GRANT:

General Grant is authorized to enroll, enlist, organize, and muster into the service of the United States one or more cavalry regiments, one regiment of mounted riflemen, one artillery battery, and any number of infantry to the amount of three regiments. The said force to be armed, equipped, and organized according to the rules and regulations of the service and such regulations as at the instance of General Grant may be prescribed by the President, and be employed as rangers and in such other service as may be prescribed, their term of service to be for three years or during the war, and to be officered by persons appointed by the President upon the recommendation of General Grant.

EDWIN M. STANTON,
Secretary of War.

HEADQUARTERS DEPARTMENT OF THE GULF,
New Orleans, February 12, 1863.

Brig. Gen. L. THOMAS,
Adjutant-General U. S. Army, Washington, D. C.:

SIR: In compliance with the instructions contained in the letter from the Adjutant-General's Office of January 16, 1863, I have the honor to state that the number of persons of African descent enrolled in the military service in this department is as follows:

First Louisiana Native Guards, infantry	955
Second Louisiana Native Guards, infantry	976
Third Louisiana Native Guards, infantry	996
Company A, Louisiana Native Guards, artillery	129
Fourth Louisiana Native Guards, in process of organization, recruits	195
Total	3,251

The three regiments first named have ten companies each; their field and staff officers are white men, but they have negro company officers, whom I am replacing, as vacancies occur, by white ones, being entirely satisfied that the appointment of colored officers is detrimental to the service.

It converts what, with judicious management and good officers, is capable of much usefulness into a source of constant embarrassment and annoyance. It demoralizes both the white troops and the negroes. The officers of the Fourth Regiment will be white men. It is progressing favorably.

Very respectfully, your most obedient servant,

N. P. BANKS,
Major-General, Commanding.

WAR DEPARTMENT,
Washington City, D. C., February 13, 1863.

Governor ANDREW,
Boston:

Your suggestion as to officering the colored regiments has been under consideration and remained unanswered until the action of

Congress could be ascertained. It is important there should be no conflict, and opinion seems to be unsettled on this specific point. My own view is to leave it to the discretion of the President, to be exercised according to the circumstances of each particular case. In a day or two I may be able to give an answer.

EDWIN M. STANTON.

GENERAL ORDERS, No. 45. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, February 16, 1863.*

REGULATIONS FOR THE CARE OF THE FIELD-WORKS, AND THE GOVERNMENT OF THEIR GARRISONS.

1. It will be the duty of the commanding officer of each work to provide for the care of the armament, and the safety and serviceable condition of the magazines, ammunition, implements, and equipments, and, by frequent personal inspections, to secure the observance of the rules prescribed for this purpose.

2. The fixed armament, consisting of the heavy guns, and those whose positions are prescribed, will be numbered in a regular series, commencing with the first gun on the right, as you enter, of the main gate. The ammunition will be kept in the magazines, with the exception of a few stand of grape, canister, and the solid shot, which will be piled near the guns.

3. The gun carriages will be kept clean; they will be traversed daily, and never be allowed to rest for two successive days on the same part of the traverse circle. If the gun carriage does not move easily on the chassis, the tongue will be occasionally greased. The gun carriage should not rest habitually on one part of the chassis.

4. The elevating screw and its box will be kept clean and well greased. When the guns are not in use the screw will be run down as far as it will go, the breech of the piece being raised until the muzzle is sufficiently depressed to prevent water running into it, and kept in that position by a wooden quoin or block. The tompion to be kept in the muzzle, and the apron over the vent.

5. The piece is not to be kept loaded. It will be time to load when the enemy appears, or when special orders to load are given.

6. The commanding officer will see that a shed is constructed for the implements and equipments. For each drill these will be issued to the gunners by the ordnance-sergeant or other non-commissioned officer acting as such, who will receive and put them away after the drill is over, and be at all times responsible to the commanding officer for their safety, and that the supply is adequate. Until sheds are provided, the implements will be kept near the pieces. The equipments (haversacks, tube pouch, &c.) may be kept at the entrance of the magazine, where they will be sheltered. Platforms for projectiles will be laid near the guns; for canisters a couple of pieces of scantling for skids will answer. A watershed, made by joining two boards together at the edges, should be placed over them. When the wooden sabots get wet they swell and burst the canisters, so that they cannot be put into the gun. When this happens, dry the canister until the block shrinks sufficiently, and tack the canister edges together.

7. When not furnished by the Engineer Department, materials for constructing the sheds and for skidding will be furnished on requisitions made to the chief of artillery.

8. The magazines must in dry weather be frequently aired. For this purpose the ventilators and doors will be opened after 9 a. m., and must be closed, at latest, two hours before sunset. The ammunition for different classes of guns will be carefully assorted, and the shelves, boxes, or barrels containing each kind plainly marked. When there is more than one magazine the ammunition will be so distributed as to be nearest to the particular guns from which it is to be used. Cartridges must be moved and, if necessary, rolled once a week, to prevent caking of the powder. Friction-primers will be carefully dried in the sun once a week, and always after a day's or night's rain. At least two lanyards for each gun will be kept in store. As soon as received, their hooks will be tested, to see if they are sufficiently small to enter the eye of the primer and yet strong enough for use.

9. No person will be allowed to enter the magazines except on duty, and then every precaution against accidents will be taken. Lights must always be in glass lanterns, and carried only by the person in charge of the magazine. Swords, pistols, canes, &c., will not be admitted, no matter what may be the rank of the person carrying them. Socks or moccasins will be worn, if they can be procured. No fire nor smoking will be allowed in the vicinity when the doors or ventilators are open. Too much pains cannot possibly be taken to avoid the chances of an explosion.

10. Companies will be assigned to guns in such proportions as will furnish at least two, preferably three, reliefs in working them, and sufficient men, in addition, for the supply of ammunition from the magazines. From fifteen to twenty men should therefore be assigned to each gun, and instructed in its use. Companies should habitually serve the same guns, each man being assigned a special number at the gun, and thoroughly instructed in all its duties, and, as occasion offers, in the duties of all the numbers. Every night, at retreat or tattoo, the men who are to man the guns in case of a night attack should be paraded at their pieces and inspected, to see that all their equipments, implements, and ammunition are in good order, and the gun in serviceable condition and easy working order. The men so stationed should "call off" their numbers before being dismissed, and in case of alarm repair at once to their posts, equip themselves, and await orders.

11. Each gun should be under charge of a non-commissioned officer, and every two or three guns under a lieutenant, who will be responsible to the captain for their serviceable condition at all times. The captain will be responsible to the commanding officer for the condition of the pieces and the instruction of the men of his company. Artillery drills will be frequent until all the men are well instructed, and there will never be less than one artillery drill a day when the weather will permit. For action, all the cannoneers not actually serving the guns will be provided with muskets, and will be stationed next the guns to which they belong.

12. Each company should be supplied with three copies of the Tactics for Heavy Artillery, and rigidly adhere to its directions. Tables of ranges will be found in the work. One copy of Instructions for Field Artillery should be supplied each company. They can be obtained on written application to the chief of artillery, who will obtain them from the Adjutant-General of the Army. The books so drawn are the property of the United States for the use of the company; they will be borne on the muster-rolls.

13. The commanding officer will make himself acquainted with the approaches to his work, the distance to each prominent point commanded by his guns, the nature of the ground between them and his post, and the most probable points of attack upon it.

Tables of ranges or distances for each point, and the corresponding elevations in each case, according to the nature of the projectile, with the proper length or time of the fuse when shell or case-shot are used, will be made out for each gun, and furnished to the officer and non-commissioned officers serving it. As these tables differ for different kinds of gun, the same men should be permanently assigned to the same piece.

14. The projectiles should be used in their proper order. At a distance, solid shot; then shells or case-shot, especially if firing at troops in line. Canister or grape is only for use at short ranges. When columns are approaching, so that they can be taken in direction of their length, or very obliquely, solid shot is generally the best projectile, because of its greater accuracy and penetrating power. If the column consists of cavalry, some shells or case-shot will be useful from the disorder their bursting produces among the horses. As to the absolute distances at which the projectiles must be used, they vary with the description and caliber of the gun, and can only be ascertained by consulting the tables of ranges. The prominent parts on the approaches to the works should be designated, their distances noted, and directions drawn up for the different kinds of ammunition to be used at each gun when the enemy reaches them. During the drills the attention of the chiefs of pieces and gunners should frequently be drawn to this subject.

15. Commanding officers will pay special attention to the police and preservation of the works. All filth will be promptly removed and the drainage be particularly attended to. No one should be allowed to walk on the parapets, nor move or sit upon the gabions, barrels, or sand-bags that may be placed upon them. When injuries occur to the earth-works, they should be repaired as quickly as possible by the garrison of the work. If of a serious nature, they should at once be reported to the engineer officer in charge of the work. All injuries to the magazines or platforms of the guns will be promptly reported as soon as observed.

16. Special written instructions as to the supply of ammunition at the different posts, and the proportion for the different classes of guns, will be furnished by the chief of artillery to the commanders of posts at the earliest period practicable. Instructions will also be furnished as to the special objects of each work.

17. No persons not connected with the garrisons of the field-works will be allowed to enter them except such as visit them on duty, or who have passes signed by competent authority; nor will any person, except commissioned officers, or those whose duty requires them to do so, be allowed to enter the magazine or touch the guns, their implements, or equipments.

18. The garrison can greatly improve the work by sodding the superior (upper) slope of the parapet, and also the exterior or outer slope, or by sowing grass seed on the superior slope, first covering it with surface soil. The grass-covered or sodded portions of the parapets, traverses, magazines, &c., should be occasionally watered in dry weather and the grass kept closely cut.

19. As a great deal of powder is wasted in unnecessary salutes,

attention is called to paragraph 268 of the Army Regulations, edition of 1861.

Paragraph 268. A general officer will be saluted but once in a year at each post, and only when notice of his intention to visit the post has been given.

20. The practice of building fires on the open parades for cooking and other purposes is prohibited, as it endangers the magazines.

21. The armament of a fort having been once established will not be changed except by authority of the commander of the district, geographical department, or army corps.

22. The machinery of the Whitworth guns will not be used except by special orders from the commanding officer of the post. There shall be at each fort and redoubt at least one drill a day as artillery and one as infantry.

23. Particular care must be taken to keep the bores of the rifled guns free from rust and always well oiled.

24. The forts will be inspected at such times as the chief of artillery may direct, and a full report of their condition will be made. Particular attention will be paid to the drill and police of the work in each case, as also to the condition of the armament, ammunition, and magazines.

INSTRUCTIONS FOR FIRING.

1. The firing in action should be deliberate, never more than will admit of accurate pointing. A few shots effectively thrown will produce more effect than a larger number badly directed, although the larger number may have killed the most men.

It is not so important to kill as to inspire terror. The object of killing a portion is to so frighten the rest as to cause them to run; and to inspire this terror, precision of fire and consequent certainty of execution is of infinitely greater importance than a great noise, rapid firing, and less proportional execution.

2. To secure accuracy of firing, the ground in the neighborhood must be well examined and the distance to the different prominent points within the field covered by each gun noted. The gunners and cannoneers should be informed of these distances, and in the drills the guns should be accurately pointed at one or the other of them in succession, the gunner designating the spot, calling the distance in yards, and the corresponding elevation in minutes and degrees, until all the distances and corresponding elevations are familiar to the men.

When shell or case-shot are used, the time of flight corresponding to the distance must be given to the man who goes for the projectile. He tells the ordnance-sergeant, or person who furnishes the ammunition, and the latter cuts the fuse to burn the required time.

3. The gunner is responsible for the aiming. He must, therefore, know the distance to each prominent point in the field covered by his gun, the elevation required to reach that point, and the time of flight of the shell or case-shot corresponding to each distance or elevation. He must have a table of these ranges taken from the Heavy Artillery Tactics, pages 265 to 269. *a*

For example: The cartridges for the 24-pounder guns all weigh six

a The last table on page 269 should read: "Eight-inch sea-coast howitzer, on barbette carriage, instead of 8-inch sea-coast mortar."

pounds as issued to these works. The table (page 265) therefore applies as follows:

Twenty-four pounder gun on siege or barbette carriage.

Cartridge.	Ball.	Elevation.	Range.	Remarks.
Pounds.		° ′	*Yards.*	
6.....	Shot....	0 0	412	That is, the bore (not line of sight) being level, a range of 400 yards.
6.....	...do	1 0	842	1 degree elevation, range about 850 yards.
6.....	...do	1 30	953	1½ degrees elevation, range about 950 yards.
6.....	...do	2 0	1,147	2 degrees elevation, range about 1,150 yards.
6.....	...do	3 0	1,417	3 degrees elevation, range about 1,400 yards.
6.....	...do	4 0	1,666	4 degrees elevation, range about 1,660 yards.
6.....	...do	5 0	1,901	5 degrees elevation, range about 1,900 yards, the extreme range of 24-pounder round-shot.

Thus, if the enemy appears at a point 1,000 yards distant, look at the table—950 yards requires 1° 30′ elevation; 1,150 yards requires 2°; therefore, elevate a very little, say 5′ to 10′ over 1° 30′, or simply give 1° 30′ full.

In the same way, for each 8-inch sea-coast howitzer, make out a table from page 269, noting, however, that only 6 and 8 pound cartridges being now issued for them, and of late only 8-pound cartridges, it must first be ascertained what the cartridges in your magazine weigh, and then make out the table accordingly.

4. These tables will be promptly prepared under the direction of the commanding officer, and copies furnished for each gun and used habitually in the drills. They will be examined and verified by the chief of artillery.

5. The attention of all officers in charge of artillery in the works is directed to the articles in the Tactics on "Pointing guns and howitzers," pages 85 to 88.

6. Commanding officers of the works will keep themselves accurately informed of the amount and kinds of ammunition in the magazines. The supply should be kept up to 100 rounds per gun. When it is less than that amount a special report will be made of the fact to the chief of artillery, with requisitions for the amount necessary to complete the supplies. They will also see that the necessary equipments are always on hand for the service of all the guns, as follows:

For 24 or 32 pounder guns, the articles named on pages 47 and 48, article 97.

For 8-inch sea-coast howitzers, the articles named on page 58, article 117; and for other guns, according to the tables as prescribed in the Tactics.

NOTE.—Two lanyards and at least 150 friction-primers for each gun to be kept on hand; one lanyard and a very few primers to be kept in the tube pouch, the others in the magazine.

One globe or dark lantern for every three guns. Two globe lanterns for each magazine.

By command of Major-General Halleck:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, February 16, 1863.

Hon. HANNIBAL HAMLIN,
Vice-President of the United States:

SIR: In reply to the resolution of the Senate of the 16th ultimo, calling for information as to whether "the limitation in the third section of the act to authorize the State of Missouri to raise 10,000 troops for local defense, approved February 13, 1862, has been exceeded, and if so, by whose authority such excess has been allowed," I have the honor to transmit herewith a letter from the Adjutant-General of the 14th instant, inclosing a report upon this subject of date the 6th instant, from the acting adjutant-general of Missouri.

I am, sir, very respectfully, your obedient servant,
EDWIN M. STANTON,
Secretary of War.

[Inclosure.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, February 14, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: In answer to a call of the Senate, of date the 16th ultimo (copy herewith), in relation to troops for local defense in the State of Missouri, and which was referred to this office for report, I have the honor to submit a communication from the adjutant-general of Missouri, of date the 6th instant, which supplies the information asked for.

I am, sir, very respectfully, your obedient servant,
E. D. TOWNSEND,
Assistant Adjutant-General.

[Sub-inclosure.]

HEADQUARTERS STATE OF MISSOURI,
ADJUTANT-GENERAL'S OFFICE,
Saint Louis, February 6, 1863.

Col. THOMAS M. VINCENT,
Assistant Adjutant-General, Washington, D. C.:

SIR: I am directed by His Excellency the Governor, in answer to your communication of the 26th ultimo relative to the excess of troops raised by Missouri for local defense, to reply as follows:

Previous to the act of Congress limiting the number of troops to 10,000, Governor Gamble had made an arrangement with the President whereby he was authorized to raise (not being limited to any specific number) a military force to be armed, equipped, clothed, subsisted, transported, and paid by the United States during such time as they should be actually engaged as an embodied military force in service. (See Senate Executive Document No. 6, Thirty-seventh Congress, second session, and General Orders, No. 96, War Department, series 1861.)

In accordance with this agreement the organization of this force was commenced in November, 1861 (see copy of General Orders, No. 1, headquarters State Militia, November 25, 1861, herewith inclosed, marked A*), and authority given to parties to recruit for companies

*For Gamble's General Orders, No. 1, and Halleck's General Orders, No. 1 (here omitted), see Series I, Vol. VIII, pp. 378, 389.

and regiments all over the State, and at the time of the passage of the act of Congress limiting the number to be raised, over 13,000 men were enlisted.

Preparations were immediately made by the Governor, on the receipt of the order limiting the number, to muster out the surplus; and this was being done when the following communication was received from the Adjutant-General:

ADJUTANT-GENERAL'S OFFICE,
Washington, June 23, 1862.

His Excellency the GOVERNOR OF MISSOURI,
Saint Louis, Mo.:

SIR: It having been represented at this office that some three regiments of State militia have been raised in your State in excess of the number authorized by Congress, I am instructed to inform you that these extra troops will be received into the general service of the United States, provided such is their wish. If they do not desire to come into the general service they will be disbanded.

I am, sir, very respectfully, your obedient servant,

L. THOMAS,
Adjutant-General.

An order was immediately issued to the commanding officers of regiments (copy inclosed, marked C) directing a report to be made to these headquarters of those who desired to be mustered into the U. S. service. Through their commanding officers the troops expressed an unwillingness to enter the service as U. S. volunteers.

The Governor then ordered that the surplus force be disbanded, but Brig. Gen. J. M. Schofield, then commanding the District of Missouri, protested against it, on the ground of the small force of U. S. troops in his command and the threatening aspect of affairs in the State at that time; and the Governor, at the request of the general commanding, telegraphed to the War Department informing the authorities of his intention to disband the surplus, and also the reasons urged by General Schofield that it should not be done, and received a reply from the General-in-Chief of the Army, of which the following is a copy:

WASHINGTON, D. C., *August 15, 1862.*

His Excellency GOVERNOR GAMBLE:

The Secretary of War consents to your retaining in service the surplus militia, at least for the present; that all preparation should be made for the draft, and the question of postponement will be decided hereafter.

H. W. HALLECK,
General-in-Chief.

The foregoing is the authority by which the surplus militia was retained in service during the time the necessity existed for it.

As soon as the exigencies of the service would admit, orders were issued to reduce the force to the proper number, and by the last consolidated return (for December), forwarded from this office, the aggregate is 10,370.

An order will be issued in a few days breaking up four of the regiments, and distributing the companies among the other regiments to bring them to the standard of twelve companies each, as required by act of Congress approved July 17, 1862, and General Orders, No. 126, War Department, 1861.

I am, colonel, very respectfully, your obedient servant,

WM. D. WOOD,
Colonel and Aide-de-Camp, Acting Adjutant-General.

C.

GENERAL ORDERS, No. 29. } HEADQUARTERS STATE OF MISSOURI, ADJUTANT-GENERAL'S OFFICE, *Saint Louis, June 30, 1862.*

The following communication from the War Department is published for the information of all concerned:*

To enable the Governor to comply with the above requirements, the officer commanding each company of militia now in service will, without delay, ascertain and report to the adjutant-general of the State, through the commanding officer of his regiment or battalion, the officers and the number of men of his company who are willing to be mustered into the service of the United States as volunteers for "three years, or during the war."

By order of the commander-in-chief:

WM. D. WOOD,
Colonel and Acting Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Saint Louis, February 17, 1863.

Hon. H. WILSON,
U. S. Senate:

GENERAL: Allow me to express my thanks for your efforts to get a conscript act through. Something should be done to create a national reserve that can be called out for any occasion. This should be the militia of the country. It is also necessary that the militia should be under the control of the United States. I am trying to get along with Federal and State troops both in the field, but my subordinates and the militia themselves fear trouble. The jealousies of neighboring commanders—Federal and State—will constantly embarrass and perplex me. Many of my generals speak of it as very dangerous. General Loan, an earnest Union man, thinks the State troops are, many of them, officered by rebels, and I know we have rebels in the State that depend on some of the militia regiments as true to the rebel cause. Governor Gamble is a pro-slavery Union man, and he is so fearful of abolition haste he may be and is deceived in some instances. We feed and forage the militia when it is called out and ultimately, as you know, the United States pays them. To make them true beyond question generals commanding, responsible for the peace of communities, should know their officers. But it is not for Missouri alone I speak; there is great need of an organization in States farther south. The militia of Arkansas should be organized and this would only be safe on some plan which would bring them under direct control of the United States. I hope your bill does this. We will never carry on war safely and successfully till you get our troops homogeneous. This matter is very important. I know the constitutional and State prejudices that intervene, and have no time or opportunity to propose plans. I have only time to say, the safety, economy, and success of our troops require unity of organization and action, especially in States where war is progressing.

I have the honor to be, general, your most obedient servant,

S. R. CURTIS,
Major-General.

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*Here omitted; see Thomas to Governor of Missouri, June 23, 1862, p. 53.

WASHINGTON, D. C.,
February 18, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: Within the last few weeks large numbers of applications of officers for leaves of absence have been referred to me by the War Department. These applications are mostly based on "sickness in family" or "urgent private business." Many of them are supported by pressing solicitations of high officers of the Government and prominent citizens of their own section of country. I have considered it my duty, on account of the enormous number of absentees from our armies in the field, to approve such applications only in a very few cases, where a refusal would cause great hardships.

I beg leave to refer to a few facts in justification of this course. By the latest returns the entire force of the Army of the Potomac is 238,464, of which 2,935 officers and 82,188 enlisted men, or an aggregate of 85,123, are reported absent. This does not include those present sick or unfit for duty. The same ratio applied to our entire military force of 790,197 would give 9,692 officers and 272,379 enlisted men, or an aggregate of 282,071, absent from duty.

While more than one-third of the officers and men of our armies are absent from their commands, the granting of leaves of absence and furloughs should, in my opinion, be limited to cases of the most urgent necessity, and that all other applications, no matter by whom recommended or urged, should be rejected.

Very respectfully, your obedient servant,

H. W. HALLECK,
General-in-Chief.

GENERAL ORDERS, No. 48. } WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, February 25, 1863.

The following regulations are established in regard to musters into and out of the service of the United States of officers and enlisted men of volunteers in the field:

I. Only officers of the Regular Army (including additional aides-de-camp appointed by the President, under the act approved August 5, 1861) will be detailed to muster into and out of the service of the United States, and no officer will make these musters unless detailed to do so by competent authority.

II. Officers, as aforesaid, will be detailed (under paragraph 1) by the corps or department commander as follows:

For each corps or department, one officer, to be called the commissary of musters for that corps or department, and two enlisted men for clerks in his office, at corps or department headquarters. All rolls and communications sent to and from the officers detailed on this service in any corps or department will be through the commissary of musters for that corps, who will exercise a supervision over the whole subject of musters for the corps or department to which he belongs.

For each division, one officer, to be called an assistant commissary of musters for that division, who will make all musters into and out of the service of the United States for his division, and see that all officers of his division are properly mustered into or out of the service of the United States, as the circumstances of the case may require; he will also be prepared to give such information on the subject of mus-

ter and muster-rolls as may be required by those serving in the division. He will also provide himself with blanks, by application to the commissary of musters of his corps or department. One enlisted man will be detailed by the division commander as clerk in his office. Commissaries of musters and their assistants will be furnished with such stationery as they may require by the Quartermaster's Department, upon their requisitions, approved by the corps, department, or division commander, as the case may be.

So soon as the commissaries and assistants are detailed as herein directed, their names will be reported to the Adjutant-General of the Army.

III. Each assistant commissary of musters will make a daily report to the commissary of musters for his corps or department of all the musters made by him since his last report, forwarding with this report three copies of the muster-in and four of the muster-out rolls, in every case, as vouchers to his report.

These rolls and reports will be corrected and consolidated by the commissary of musters, who will also add his own report of such musters as he may have made himself, and forward it, with one copy of the muster-in and muster-out rolls, in each case, direct to the Adjutant-General, Washington, D. C. The commissary of musters will dispose of the other copies of the rolls as prescribed in the pamphlet of instructions to mustering officers.

IV. Commanders of corps or departments will see that each regiment, independent company, &c., is assigned to some one of the assistant commissaries of musters under their command. The commissaries of musters will be responsible to the Adjutant-General of the Army for the correctness of the musters and muster-rolls in their corps, and no officer shall be mustered in, or out, except by a commissary or assistant commissary of musters to whom the command to which he belongs has been assigned.

V. No officer or enlisted man of volunteers is properly in the service of the United States, or authorized to receive pay, until mustered in by the proper officer; and no officer is properly out of service until discharged in orders, or mustered out by the proper officer. One copy of the rolls or order in each case must be forwarded to this office.

VI. Commissaries and assistant commissaries of musters, having been once detailed, will not be relieved from this duty, or transferred to another division, department, or corps without authority from the Adjutant-General's Office.

VII. Departments, commanders of corps and divisions, will exercise such supervision over the musters as they may think necessary for a prompt and efficient performance of this service.

VIII. The following rules will be observed in all musters in or out:

1. An officer must present his commission, or appointment, from the Governor of the State to which the regiment or organization into which he desires to be mustered belongs.

2. The mustering officer must ascertain from the records of the regiment or organization—such as muster-rolls, monthly returns, and morning reports—that a vacancy exists.

3. If an officer has been commissioned, as above, and a vacancy exists, and he is physically fitted for duty, he may be mustered into the service of the United States, from the date on which the muster-in actually takes place.

4. No muster-in shall be dated back without authority from the Adjutant-General, except upon proof that it could not have been made at an earlier date, which proof shall consist of the affidavit of

the officer, accompanied by that of his regimental or detachment commander, setting forth that he has made all proper efforts to have himself mustered in, but without success, before the time at which he now presents himself. These affidavits must be attached to the copy of the muster-in roll intended for the Adjutant-General.

5. No officer shall be mustered in to date back beyond the time that he has actually been performing the duties of the grade into which he desires to be mustered, nor beyond the time at which a vacancy is proved to have existed by the regimental or company records. If on the muster and pay rolls the applicant appears mustered for pay in one grade, he cannot be mustered into the service, to cover the same period, as of any other. Gross errors, on this point, are frequently committed by mustering officers; therefore special attention is invited to it.

6. Musters into and out of service must be made for each new grade of commissioned officers, as well as when enlisted men or citizens are appointed commissioned officers. A discharge in orders, or by order of the proper authority, is in all cases a muster-out of the service of the United States, and no muster-out rolls will be furnished in such cases.

7. Musters in and out must be made on separate rolls, and a separate roll must be made for each grade. Officers or enlisted men of different companies or regiments must not be mustered in, or out, on the same rolls.

8. Hereafter no person will be taken up on any muster-rolls as an officer of any grade until mustered into the service of the United States as such in that grade, whether he be commissioned by the Governor or not, unless he be appointed or commissioned by the President. Paymasters will closely observe and report all violations of this paragraph.

9. A muster once made will in no case be altered, except by authority from the Adjutant-General of the Army, and all applications for alterations must pass through the mustering officer, if possible.

10. Troops organizing in their respective States—including recruits for regiments in the field—and those organized and not in the field, will be mustered by the duly appointed mustering officers for the States. Said officers have no authority to muster commissioned officers belonging to organizations which have left the State. (See paragraph 4.) The mustering officers for States will closely observe the requirements of paragraph 8.

11. Enlisted men having received commissions or appointments will not be mustered in as commissioned officers until they shall have been discharged as soldiers by the department or corps commander.

12. The directions contained in the pamphlet of instructions to mustering officers will be followed in all cases.

By order of the Secretary of War:

L. THOMAS,
Adjutant-General.

WAR DEPARTMENT,
Washington, D. C., February 27, 1863.

Maj. Gen. W. S. ROSECRANS, U. S. Volunteers,
Comdg. Dept. of the Cumberland, Murfreesborough, Tenn.:

GENERAL: You are aware that the President has committed the execution of the provisions of the confiscation act by special order

to the Attorney-General of the United States, who acts through the agency of the U. S. district attorney, marshals, and the courts.

Information has reached this Department that some of the military authorities at Nashville, probably through misapprehension, are acting in conflict with the U. S. marshal. The President directs me to request you to issue such orders to your subordinates as will avoid any interference with the civil officers in the performance of their duties under the Attorney-General's instructions.

You will please transmit to this Department an acknowledgment of this communication and a copy of any orders issued under it by you.

I am, sir, very respectfully, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington City, March 2, 1863.

The PRESIDENT OF THE UNITED STATES:

SIR: I have the honor to transmit herewith a copy of the Executive Order filed in this Department respecting the exportation of arms and munitions of war and contraband articles.* No order has been issued by this Department in respect to the exportation of arms or munitions of war to the Mexican Republic or French army, except the direction referred to in the Executive Order of November 21, 1862, to seize a lot of arms at Rouse's Point, which were about to be exported. The principal part of the arms seized have since been purchased by this Government.

Since the Executive Order this Department has granted no permits, but has refused permission to Russian, French, Spanish, and Mexican governments for the export of arms and munitions of war.

Your obedient servant,

EDWIN M. STANTON.

MILITARY DEPT. OF MICHIGAN, ADJT. GENERAL'S OFFICE,
Detroit, March 2, 1863.

Hon. E. M. STANTON,
Secretary of War:

For the purpose of filling up the old regiments now in the field, I have required all the drafted men to go into them. Many of them, or their substitutes, are volunteering in those regiments for three years. I have promised them the advance bounty of $25, allowed to volunteers, and the $4 premium. I hope they may be allowed this, and that Colonel Smith, the mustering officer here, may be directed to pay it without delay, as the men are waiting for it.

AUSTIN BLAIR,
Governor of Michigan.

WASHINGTON, D. C.,
March 2, 1863.

GOVERNOR OF MICHIGAN:

Your arrangement is approved. Orders will be given to pay the bounty and premium.

EDWIN M. STANTON.

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* See November 21, 1862, Vol. II, this series, p. 849.

ST. LOUIS, *March 4, 1863—6 p. m.*

Hon. E. M. STANTON,
Secretary of War:

Six companies infantry organized, 527 men; four companies cavalry organized, 368 men; one company of artillery, 140 men; six guns light artillery. Two hundred recruits just received; will be organized by Friday. The whole force is now coming on the boats. Five boats are here receiving the command. Quartermaster and commissary's boat arrive to-morrow. Hospital boat is not yet finished.

Respectfully,

ALFRED W. ELLET,
Brigadier-General.

COLUMBUS, OHIO,
March 5, 1863.

Hon. E. M. STANTON,
Secretary of War:

I have to advise that you grant an amnesty to all soldiers who are now absent without leave, on condition that they voluntarily surrender themselves to the commanding officer of the nearest post within thirty days, with forfeiture of pay during their absence, announcing at the same time your fixed determination to punish all with the extreme penalty of the law who do not thus return.

DAVID TOD,
Governor.

[MARCH 6, 1863.—For General Hunter's General Orders, No. 17, drafting all unemployed able-bodied male negroes between the ages of eighteen and fifty into the military service of the United States, &c., see Series I, Vol. XIV, p. 1020.]

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Murfreesborough, March 7, 1863.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.:

SIR: In reply to your favor of the 27th ultimo, respecting the laws for the confiscation of rebel and contraband property, stating that interference had occurred in Nashville with the legitimate authorities by persons acting under authority from these headquarters, I beg to say:

First. No one has been more careful and anxious to give strength and vigor to the regularly constituted authorities than I have been.

Second. I know of no instance of collision between officers acting under military authority and the civil authority wherein there was any important principle involved.

Third. The only complaints brought to my notice were instances where property held by the U. S. marshal was thought necessary and sought to be used for the public service, to which that officer objected on account of his personal liability for the same.

Fourth. The city being at once a camp, a garrison, and a great depot, I found it absolutely necessary to put and keep it under a species of martial law, and to establish a surveillance over its trade,

such as to limit the quantity and to detect the smuggling, spying, and knavery that was going on to a fearful extent. Goods confiscated for violation of those military orders I have held and condemned summarily.

Fifth. I have been obliged to lay violent hands on Confederate counterfeit notes because they were corrupting the young men of my army. But I think in none of these instances has there been the slightest attempt to enforce by military means those laws of confiscation enacted by Congress.

Please send me copies of laws on this subject and of the charges made.

W. S. ROSECRANS,
Major-General, Commanding.

EXECUTIVE MANSION,
Washington, March 9, 1863.

Governor DAVID TOD,
Columbus, Ohio:

I think your advice, with that of others, would be valuable in the selection of provost-marshals for Ohio.

A. LINCOLN.

BY THE PRESIDENT OF THE UNITED STATES:

A PROCLAMATION.

Respecting soldiers absent without leave.

EXECUTIVE MANSION,
March 10, 1863.

In pursuance of the twenty-sixth section of the act of Congress, entitled "An act for enrolling and calling out the national forces, and for other purposes," approved on the third day of March, in the year one thousand eight hundred and sixty-three, I, Abraham Lincoln, President and Commander-in-Chief of the Army and Navy of the United States, do hereby order and command that all soldiers enlisted or drafted in the service of the United States now absent from their regiments without leave shall forthwith return to their respective regiments.

And I do hereby declare and proclaim that all soldiers now absent from their respective regiments without leave, who shall, on or before the first day of April, in the year one thousand eight hundred and sixty-three, report themselves at any rendezvous designated by the General Orders of the War Department, Number Fifty-eight, hereto annexed, may be restored to their respective regiments without punishment, except the forfeiture of pay and allowances during their absence; and all who do not return within the time above specified shall be arrested as deserters and punished as the law provides.

And whereas evil-disposed and disloyal persons at sundry places have enticed and procured soldiers to desert and absent themselves from their regiments, thereby weakening the strength of the armies and prolonging the war, giving aid and comfort to the enemy, and cruelly exposing the gallant and faithful soldiers remaining in the

ranks to increased hardships and danger, I do therefore call upon all patriotic and faithful citizens to oppose and resist the aforementioned dangerous and treasonable crimes, and to aid in restoring to their regiments all soldiers absent without leave, and to assist in the execution of the act of Congress "for enrolling and calling out the national forces, and for other purposes," and to support the proper authorities in the prosecution and punishment of offenders against said act, and in suppressing the insurrection and rebellion.

In testimony whereof I have hereunto set my hand.

Done at the city of Washington this tenth day of March, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

By the President:

EDWIN M. STANTON,
Secretary of War.

GENERAL ORDERS, No. 58. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, March 10, 1863.*

I. The following is the twenty-sixth section of the act "For enrolling and calling out the national forces, and for other purposes, approved March 3, 1863:

SEC. 26. *And be it further enacted*, That immediately after the passage of this act the President shall issue his proclamation declaring that all soldiers now absent from their regiments without leave may return, within a time specified, to such place or places as he may indicate in his proclamation, and be restored to their respective regiments without punishment, except the forfeiture of their pay and allowances during their absence; and all deserters who shall not return within the time so specified by the President, shall, upon being arrested, be punished as the law provides.

II. The following places are designated as rendezvous to which soldiers absent without leave may report themselves to the officers named on or before the 1st day of April next under the proclamation of the President of this date:

At Augusta, Me., to Maj. F. N. Clarke, U. S. Army.
At Concord, N. H., to Maj. J. H. Whittlesey, U. S. Army.
At Burlington, Vt., to Maj. W. Austine, U. S. Army.
At Boston, Mass., to Col. H. Day, U. S. Army.
At Providence, R. I., to Capt. William Silvey, U. S. Army.
At Hartford, Conn., to Lieut. W. Webb, U. S. Army.
At Elmira, N. Y., to Capt. L. L. Livingston, U. S. Army.
At Buffalo, N. Y., to Lieut. Sheldon Sturgeon, U. S. Army.
At Governor's Island, N. Y., to Col. G. Loomis, U. S. Army.
At Trenton, N. J., to Maj. L. Jones, U. S. Army.
At Philadelphia, Pa., to Lieut. Col. C. F. Ruff, U. S. Army.
At Harrisburg, Pa. to Capt. R. I. Dodge, U. S. Army.
At Pittsburg, Pa., to Capt. E. H. Ludington, U. S. Army.
At Wilmington, Del., to Maj. H. B. Judd, U. S. Army.
At Baltimore, Md., to Maj. H. W. Wharton, U. S. Army.
At the city of Washington, D. C., to Maj. Gen. S. P. Heintzelman, U. S. Volunteers.
At Wheeling, W. Va., to Maj. B. H. Hill, U. S. Army.
At Louisville, Ky., to Col. W. Seawell, U. S. Army.
At Nashville, Tenn., to Maj. W. H. Sidell, U. S. Army.

At Saint Louis (Benton Barracks), Mo., to Col. B. L. E. Bonneville, U. S. Army.
At Columbus (Camp Chase), Ohio, to Lieut. Col. H. Brooks, U. S. Army.
At Indianapolis, Ind., to Lieut. Col. J. V. Bomford, U. S. Army.
At Springfield, Ill., to Col. P. Morrison, U. S. Army.
At Chicago, Ill., to Capt. C. C. Pomeroy, U. S. Army.
At Detroit, Mich., to Lieut. Col. J. R. Smith, U. S. Army.
At Madison, Wis., to Maj. H. Stansbury, U. S. Army.
At Fort Snelling, Minn., to Capt. T. M. Saunders, U. S. Army.
At Davenport, Iowa, to Capt. H. B. Hendershott, U. S. Army.
At Fort Leavenworth, Kans., to the commanding officer.
At San Francisco, Cal., to Brig. Gen. George Wright, U. S. Volunteers.
At Fort Randall, Dak. Ter., to the commanding officer.
At Omaha, Nebr. Ter., to Lieut. J. A. Wilcox, U. S. Army.
At Denver City, Colo. Ter., to Capt. J. W. Alley, U. S. Army.
At Santa Fé, N. Mex. Ter., to the commanding officer.
At Fort Vancouver, Wash. Ter., to the commanding officer.
At Salt Lake City, Utah Ter., to the commanding officer.

III. Commanding officers at the above-named places of rendezvous, or, in the absence of commanding officers, superintendents of recruiting service, recruiting officers, and mustering and disbursing officers, will take charge of all soldiers presenting themselves as above directed and cause their names to be enrolled, and copy of said roll will, on or before the 10th day of April, be sent to the Adjutant-General of the Army.

The soldiers so reporting themselves will be sent without delay to their several regiments, a list of those sent being furnished to the commanding officer of the regiment, and a duplicate to the Adjutant-General of the Army. The commanding officer of the regiment will immediately report to the Adjutant-General of the Army the receipt of any soldiers so sent to him.

By order of the Secretary of War:

L. THOMAS,
Adjutant-General.

EXECUTIVE OFFICE,
Iowa City, Iowa, March 10, 1863.

Hon. EDWIN M. STANTON,
Secretary of War, Washington City, D. C.:

SIR: The condition of affairs in this State is such as to render it, in my judgment, absolutely necessary that I have arms and fixed ammunition for distribution among the loyal men of this State. It is a fact that unscrupulous men are organizing and arming for the purpose of resisting a draft under the conscription law, and those under their control will be pushed into acts of hostility to the Government unless there is such a state of preparation as to make it hopeless. I think such preparation as I indicate would have the effect to prevent an outbreak. Can you send me 5,000 stand of arms, accouterments, and ammunition?

Very respectfully,

SAMUEL J. KIRKWOOD.

EXECUTIVE OFFICE,
Iowa City, Iowa, March 11, 1863.

Hon. EDWIN M. STANTON,
Secretary of War, Washington City, D. C.:

SIR: I wrote you on yesterday asking you to send me some arms to place in the hands of loyal men as a precaution and preventive of an outbreak among the disloyal of this State.

I would further suggest the propriety of your authorizing me to raise two or three regiments as a State guard for the same purpose. If a draft shall be ordered in this State it will be necessary.

Very respectfully, your obedient servant,

SAMUEL J. KIRKWOOD.

WAR DEPARTMENT,
Washington City, March 12, 1863.

C. A. DANA,
New York:

DEAR SIR: I inclose you a copy of your order of appointment and the order fixing your compensation, with a letter to Generals Sumner, Grant, and Rosecrans, and a draft for $1,000. Having explained the purposes of your appointment to you personally, no further instructions will be given unless specially required. Please acknowledge the receipt of this, and proceed as early as possible to your duties.

Yours, truly,

EDWIN M. STANTON,
Secretary of War.

[Inclosure.]

Ordered, That Charles A. Dana, esq., be and he is hereby appointed special commissioner of the War Department, to investigate and report upon the condition of the pay service in the Western armies. All paymasters and assistant paymasters will furnish to the said commissioner for the Secretary of War information upon any matters concerning which he may make inquiry of them as fully, completely, and promptly as if directly called for by the Secretary of War. Railroad agents, quartermasters, and commissaries will give him transportation and subsistence. All officers and persons in the service will aid him in the performance of his duties, and will afford him assistance, courtesy, and protection. The said commissioner will make a report to this Department as occasion may require.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington City, March 12, 1863.

Major-General W. S. ROSECRANS:

GENERAL: Charles A. Dana has been appointed a special commissioner of this Department to investigate and report upon the condition of the pay service in the Western armies. You will please aid him in the performance of his duties, and communicate to him fully your views and wishes in respect to that branch of the service in your

command, and also give to him such information as you may deem beneficial to the service. He is specially recommended to your courtesy and protection.

Yours, truly,

EDWIN M. STANTON,
Secretary of War.

(Same to Major-Generals Grant and Sumner.)

SARATOGA, N. Y.,
March 12, 1863.

To the PRESIDENT OF THE UNITED STATES, ABRAHAM LINCOLN:

The memorial of the religious society of Friends of Saratoga County respectfully represent and petition that:

In view of the late law of Congress compelling a compliance with military service, by all irrespective of conscientious objections, a law as yet ineffective until signed by the President, we, thy petitioners, respectfully yet earnestly call thy attention to the sufferings which such a law must necessarily subject a portion of the most loyal and law-abiding citizens of these United States. For we as a society entertain no factious opposition to our laws, but cheerfully comply therewith so far as their religious convictions will allow, but when the laws of our country contravene what they believe to be the laws of God, a quiet submission to the former and a steadfast obedience to the latter have been the uniform practice of our society from its rise, a period of more than 200 years.

As it respects disloyalty it cannot exist in the conduct of any true Friends. They do not allow themselves the use of any carnal weapons, even in self-defense, and cannot therefore use them even in redress of civil wrong. We in common with our fellow-citizens are now suffering the trials inseparable from a state of civil war, and a law requiring us to bear arms would subject us to trials to which our friends in the so-called "Confederate States" are not subjected, and to which neither they nor we could comply, let the consequences be what they might. For though we love our country, and have no sympathy with rebellion, yet we love our blessed Lord more, and consider His commands more binding upon us than any that man can make, and His are, "My kingdom is not of this world, else would my servants fight," therefore my servants cannot fight.

We would therefore respectfully suggest, why may not our society in the North and South be permitted to pair off, for by so doing would not we aid our country as much as though all fought, admitting that we were equally represented? Thy petitioners would therefore respectfully but earnestly petition that our society be excused from military requisitions, not exclusively our society, but all who are with us restrained from compliance therewith from conscientious reasons. And we will continue to pray that whatever may befall us, our suffering and bleeding country may soon be restored to peace and prosperity, and that our beloved President may be endued with wisdom from heaven in the discharge of his arduous duties.

On behalf of the society.

JONA. DEVOL.
GEO. B. EDDY.

HEADQUARTERS FIFTEENTH ARMY CORPS,
Camp before Vicksburg, March 12, 1863.

His Excellency Governor TOD,
Ohio:

SIR: Your favor of March 1 is received.* Young Wallace has gone with his corps up to Milliken's Bend, where I will send him word to get the consent of some colonel of an infantry regiment that he (Wallace) may be promoted in his regiment.

I feel no solicitude for men so young as Wallace, as knowledge and experience will be gained which will surely lead to his promotion and advancement in the end.

I believe you will pardon one who rarely travels out of his proper sphere to express an earnest hope that the strength of our people will not again be wasted by the organization of new regiments whilst we have in the field skeleton regiments with officers, non-commissioned, and men, who only need numbers to make a magnificent army. The President of the United States is now clothed with a power that should have been conferred just two years ago, and I feel assured he will use it. He will call for a large mass of men, and they should all be privates and sent so as to make every regiment in the field equal to one thousand men. Time has convinced all reasonable men that war in theory and practice are two distinct things. Many an honest patriot, full of enthusiasm, zeal, and thirst for glory, has in practice found himself unequal to the actual requirements of war and passed to one side, leaving another to his place. And now, after two years, Ohio has in the field 126 regiments, whose officers now are qualified and the men of which would give tone and character to the new recruits. To fill these regiments will require 50,000 recruits, which are as many as the State could well raise. I therefore hope and pray that you will use your influence against any more new regiments and consolidation of old ones, but fill up all the old ones to a full standard. Those who talk about prompt and speedy peace know not what they say.

The South to-day is more formidable and arrogant than she was two years ago, and we lose far more by having an insufficient number of men than from any other cause. We are forced to invade; we must keep the war South until they are not only ruined, exhausted, but humbled in pride and spirit.

Admitting that our armies to the front are equal to the occasion, which I know is not the case, our lines of communication are ever threatened by their dashes, for which the country, the population, and character of the enemy are all perfectly adapted. The whole male population of the South is armed against us, and we ought to outnumber them—we must outnumber them if we want to succeed, and the quicker the better.

Since the first hostile shot the people of the North have had no option; they must conquer or be conquered. There can be no [middle] course. I have never been concerned about the copperhead quabblings. The South spurns and despises this class worse than we do, and would only accept their overtures to substitute them in their levies, in the cotton and corn fields, for the slaves who have escaped. I do not pretend, nor have I ever pretended, to foresee the end of all this, but I do know that we are yet far from the end of war. But I repeat that it is no longer an open question; we must fight it out.

* Not found.

The moment we relax, down go all our conquests thus far. I know my views on this point have ever been regarded as extreme, even verging on to insanity, but for years I had associated with Bragg, Beauregard, and extreme Southern men, and long before others could realize the fact that Americans would raise their hands against our consecrated Government, I was forced to know it, to witness it. Two years will not have been spent in vain if the North now by another magnificent upheaving of the real people again fill the ranks of your proven and tried regiments, and assure them that through good report and evil report you will stand by them.

If Ohio will do this, and if the great North will do this, then will our army feel that it has a country and a Government worth dying for.

As to the poltroons who falter and cry quits, let them dig and raise the food the army needs, but they should never claim a voice in the councils of the nation.

With sentiments of great respect, I am, yours, truly,

W. T. SHERMAN,
Major-General.

GENERAL ORDERS, No. 61. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, March 13, 1863.*

It is hereby ordered that all persons appointed additional paymasters shall, before being commissioned, present themselves before a board of examiners, to be appointed by the Secretary of War, who shall examine and report upon the physical, mental, and moral fitness of the party to perform the duties of paymasters; that, upon such examination, those reported upon favorably shall be commissioned and assigned to duty, and the appointment of those reported against will be canceled.

2. That all additional paymasters who have been commissioned shall also, upon the order of the Paymaster-General, appear before said board of examiners, and those who are unfit shall be mustered out of service.

By order of the Secretary of War:

L. THOMAS,
Adjutant-General.

EXECUTIVE OFFICE,
Iowa City, Iowa, March 13, 1863.

Hon. EDWIN M. STANTON,
Secretary of War, Washington City, D. C.:

SIR: I have to-day received from you the inclosed package of papers from Mr. Hoxie, U. S. marshal of this State. There is no doubt there is a very unfortunate condition of affairs at this time in this State. A secret organization, known popularly as the Knights of the Golden Circle, is widely spread through the State, the object of which, as I am informed and believe, is to embarrass the Government in the prosecution of the war, mainly by encouraging desertions from the Army, protecting deserters from arrest, discouraging enlistments, preparing the public mind for armed resistance to a conscription, if ordered and, if possible, to place the State government at the next election in the hands of men who will control it to thwart the policy of the Administration in the conduct of the war. Indeed, with the exception of advising desertions, the purposes above mentioned are

openly avowed and advocated by many persons in the State. Lieutenant Henry came to see me in regard to the matter mentioned in his letter to Marshal Hoxie, and at my instance Captain Hendershott furnished him a detail of ten armed men to go with him to his place of rendezvous in Madison County and remain with him. I also sent by him forty or fifty muskets and some ammunition to place in the hands of loyal men. I have not heard from him since his return. There is undoubtedly a feverish and excited state of the public mind, and matters must be managed here prudently and firmly, or a collision may ensue. I wrote you a few days since, asking that you send me some arms, and also that you allow me to raise two or three regiments as a State Guard, not to leave the State. I regard these measures both as measures of precaution and prevention. Much that is said in regard to resistance of the laws is no doubt mere bluster, and by self-important men of small caliber and small ambition, to give themselves local importance and to secure for themselves petty offices, and who, if an outbreak were to occur, would not be in the way of danger.

But I also believe there are engaged in this work men of desperate fortunes, political and otherwise, who would have the courage to lead an outbreak, and who would rejoice in the opportunity. I think it extremely probable there are in this and other Northern States paid agents of the rebels who are organizing the machinery and using the means to effect the purposes herein attributed to the Knights of the Golden Circle, and there is real danger that the efforts of these men may so far operate on the minds of these honest but deluded followers in some locality as to cause a collision among our people. If we had arms in the hands of our loyal people, and a State Guard, as I suggest, it might and I think would prevent this. The condition of things is such in my judgment that the Government can only make itself properly respected by convincing those disposed to be troublesome of its determination and ability to preserve the peace and enforce the laws. The dismissal of those "arbitrarily arrested," as the phrase goes, has had a bad effect in this, that it has led many to suppose the Government has not the power to punish. Let me impress upon you my conviction that in case of any armed resistance to the laws the punishment be prompt, certain, and sharp, and the action of those who may be resisted of the same character. Anything looking like indecision or timidity would be disastrous.

I scarcely know what to advise in regard to these men who are talking treason, huzzaing for Jeff. Davis, organizing the Knights of the Golden Circle, &c. It would be worse than useless to arrest them unless they can be tried, and if found guilty, punished. If arrests could be made, trials and convictions had, and punishment sharply administered, the effect would be excellent. Has the U. S. district attorney of this State had his attention called specially to this matter? It seems to me if it has not it should be done, and he or the marshal furnished with the necessary money to detect and punish some of these active scoundrels who are producing so much mischief.

I have already organized and armed a company in each one of the southern tier of counties in this State. These have been placed under the order of Provost-Marshal Heath, at Keokuk, and will be placed under the orders of the new provost-marshal in the Congressional districts as soon as I am advised of their appointment and names. I hope good selections have been made. I am now organizing a company in each of the second tier of counties from the south line, and when organized and armed I will place them all at the disposal

of the provost-marshals. If I had arms I would organize companies in all the counties of the State where I think they may be needed. None of these companies would draw any pay or cause any expense only when called on by the proper authorities, except those in the southern tier—a squad of ten men of each of which is on duty. I regard it as a matter of the first and most pressing importance to get a supply of arms and ammunition.

I would be glad to know what arrangements will be made in and for this State in case a draft shall be ordered here. In that case I am satisfied the Government must make such show of preparation and strength as will show the hopelessness of resistance. Not to do so would in the present temper of a portion of our people invite, and, in my judgment, produce collision. I would be glad also to understand clearly what part, if any, you will expect the State authorities to take in enforcing the draft. In my judgment, in view of possible future contingencies, it would be well for the General Government to do the entire work. Hoping to hear from you soon and fully,

I am, very respectfully, your obedient servant,

SAMUEL J. KIRKWOOD.

[Inclosure No. 1.]

OFFICE OF U. S. MARSHAL, DISTRICT OF IOWA,
Des Moines, Iowa, February 21, 1863.

Maj. L. C. TURNER,
Judge-Advocate, War Department:

MAJOR: A Mr. M. M. Gay, a U. S. detective, employed by Lieutenant-Colonel Dick, provost-marshal-general of Missouri, called upon me to-day. He says that he has been traveling in Southern Iowa for the past ten days. That a large amount of cattle, horses, and mules have been run off into this State by rebels in Missouri to keep the same from being seized by U. S. officers for confiscation, &c. My own detectives make the same report. They also all unite in saying that the copperheads are arming themselves and preparing to resist any order that may be made by the Government, either to arrest deserters or persons charged with disloyal practices. I know of my own knowledge that they are arming themselves in this locality, and that their leaders intend, if possible, to bring on a collision with the Government authorities. In my opinion, some steps should be taken by the Government to stop the sale of powder and other munitions of war and to disarm the copperheads should there be any demonstration on their part. The sale of arms and ammunition should be restricted at once all over the State.

I am, major, respectfully, your obedient servant,

H. M. HOXIE,
U. S. Marshal.

[Inclosure No. 2.]

OFFICE OF U. S. MARSHAL, DISTRICT OF IOWA,
Des Moines, Iowa, February 24, 1863.

[Maj. L. C. TURNER:]

MAJOR: I have received a letter from a prominent citizen of Clarke County, Iowa, from which I make the following extracts:

The order of the Knights of the Golden Circle, now entitled the Union Relief Society, is thoroughly organized in every township of this Congressional district, and I am informed the entire State. Every four townships forms a sub-district. The secretaries of each of these townships meet monthly to compare notes, and

they select one of their number to represent them at the county lodge, which meets in this county at the county seat. At that time they receive instructions for the ensuing month. Each county lodge selects a man to represent them in the district and State lodges. The State lodge is to be held at Des Moines (this place) between the 1st and 10th of April next, unless an emergency should demand a meeting earlier, or policy appoint one later. I will advise you of any change of time. The oath administered is in substance as follows:

"I solemly swear that I will support the Constitution of the United States as it is; that I will resist draft either by State or Federal authorities; that I will resist all orders issued by the present Administration, and that I will do all in my power to unite the States of the Northwest with the Southern Confederacy," &c.

The same person says:

Their passwords and signs are the same throughout the States North and South. They have a large amount of arms and ammunition at the residence of a Mr. Warner, in Leon, Decatur County, Iowa; also some at the store of Mr. Hurst, in the same place. These arms are procured in Missouri, and a Mr. McClelland, of Decatur County, is now in Missouri after more.

I give you the main features of his letter. He has the signs and passwords, and all the particulars from a loyal man whom he persuaded to join the Union Relief Society. I shall have the new passwords, signs, &c., in a few days. Shall I take any steps in relation to the arms said to be secreted?

I am, major, your obedient servant,

H. M. HOXIE,
U. S. Marshal.

[Inclosure No. 3.]

OFFICE OF U. S. MARSHAL, DISTRICT OF IOWA,
Des Moines, Iowa, February 25, 1863.

Maj. L. C. TURNER,
Judge-Advocate:

MAJOR: I have this day mailed to the Secretary of War a letter with the statements of Lieutenant Henry and a Mr. Williams. I beg you to have immediate action taken on this matter. Danger is imminent, and I may have trouble long before this reaches Washington. I have also written to Hon. John A. Kasson, member elect from this district, and asked him to call on you. Mr. K. is well acquainted in Madison and Clarke counties.

I am, major, your obedient servant,

H. M. HOXIE,
U. S. Marshal.

[Inclosure No. 4.]

OFFICE OF U. S. MARSHAL, DISTRICT OF IOWA,
Des Moines, Iowa, February 25, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I inclose herewith a statement made by Lieutenant Henry, of the Fourth Iowa Infantry, a recruiting officer stationed at Winterset, in Madison County, in this State, touching certain demonstrations made by the sympathizers with rebellion in that county. I have seen a statement forwarded to the Governor of this State by about thirty of the most reliable citizens of Winterset, which discloses a much worse state of affairs than is shown by the communication of Lieutenant Henry. A meeting was held in Winterset on Saturday last, composed of notorious rebel sympathizers, about 100 of whom, it is said, were heavily armed. The principal speech was

made by the Mr. Brannon referred to by Lieutenant Henry, and consisted of seditious and treasonable denunciations. Brannon was once captured in Missouri in arms; was paroled, was recaptured near Corinth while General Halleck was moving upon that place, under circumstances indicating that he was acting as a spy, and was again arrested by my deputy at Muscatine, in this State, last summer, for disloyal practices. He and the other leaders in this demonstration were held as prisoners at Camp McClellan, in this State, until their discharge, some two months since, on your order. I am credibly informed that at this meeting the speakers indulged freely in intimations of a Northern revolution; that many in attendance openly hurrahed for Jeff. Davis, and declared in favor of annexing Iowa to the Southern Confederacy by force; that open threats were made to tear down the national flag if Lieutenant Henry should suspend it from his recruiting-office window; that a purpose to drive him from the county was openly avowed; that on the Monday following a company, consisting of about forty persons, came to Winterset, headed by the same lately imprisoned leaders; that they beset Lieutenant Henry in the streets, with the purpose of commencing a disturbance; that they followed him to his office, and were deterred from the commission of personal violence only by his threat to shoot the first man who touched or injured his person. I am fully satisfied that the men engaged in these lawless proceedings are thoroughly organized and number several hundred in the county; that a considerable number of them have been drilled by a man who but a few months since was a captain in the rebel army, and that they are tolerably well supplied with arms and ammunition. On the other hand, the Union men of the county are now in the ranks of the Army of the United States, and those that remain at home are unorganized and without arms, and are unprovided with ammunition. When I arrested the officers of the order known as Knights of the Golden Circle in that county last summer I was followed by an armed force, while removing the prisoners several miles, of 150 or 200 men, and had they overtaken me a bloody collision would have resulted. A determination to resist the conscription law, the collection of the Federal tax, and the arrest of deserters is declared daily in every part of the county. Clarke County, which adjoins it on the south, is in but little better condition. A collision is anticipated when my deputies make a descent on the deserters harbored there.

In view of these facts I respectfully recommend, if the conscription law now pending in Congress shall go into immediate operation, that a man of prudence, but with nerve and resolution, be appointed provost-marshal in this Congressional district; that he be furnished with a provost guard of at least 100 cavalry, and with arms sufficient to equip 50 to 100 men in each county. I shall not be surprised at any time to hear of an outbreak in some of the southern counties of Iowa. The border guards on the southern border, or that portion of it in this Congressional district, should be under orders of the provost-marshal. This, I suppose, can be effected only by an arrangement between your department and the Governor of this State. If any action is to be taken before the appointment of this provost-marshal (and I know not how soon decisive action may be necessary), I desire to respectfully represent that I have no arms and no force of any kind. If matters go much further in Madison and Clarke Counties, the parties should be disarmed; but it will be folly for me to

attempt the disarming of several hundred men without an adequate force. I might be able to do it with the border guards.

I submit these facts and suggestions for your consideration, and respectfully ask for instructions. The public mind is in a feverish state, and a slight disturbance might lead to important consequences. I also submit a statement received from Clarke County.

I am, sir, respectfully, your obedient servant,

H. M. HOXIE,
U. S. Marshal and Special Provost-Marshal.

[Sub-inclosure No. 1.]

FEBRUARY 24, 1863.

His Excellency S. J. KIRKWOOD,
Governor of Iowa:

As a servant in my country's cause, and as a close observer, I have the honor to represent that for the past three weeks I have been daily publicly insulted by the citizens of Madison County, both by threats and abusive language; that a majority of the citizens of Madison County are known to be members of what is termed the Knights of the Golden Circle. I have been reliably informed that for the past eight weeks they have been holding secret meetings in different places in the county, commencing generally at midnight; that ammunition and materials by which to make ammunition out of has been secretly expressed to this order; that they have secreted in some portion of the county a large supply of arms, sufficient, it is said, to arm at least 200 or 300 persons, and that letters have been received and taken out of the post-office at Winterset by men who are known to be of this character, merely addressed S or B, or some other letter of the alphabet, evidently agreed upon by orders of the same species in other portions of the State.

On last Saturday these persons held a public meeting in the town of Winterset, and in a most bold manner adopted all manner of resolutions disclaiming the laws of our Government. They also, in a most daring manner, upon the public streets make bold to utter and applaud the actions of Jeff. Davis and the Southern Confederacy, and then, to show their dislike to the Union, dared me to hang out my flag, stating at the same time that if I did they would tear it down. I did so, and with the aid of my arms protected and sustained its purity against this mob of traitors.

On last Monday, while peacefully attending to my duties, I was maliciously assailed by a portion of this same crowd and threatened in every manner. I was alone, and of course acted upon the defensive, while they, as the attacking party, had not the manliness to carry into effect their threats. Another point (and to use their own language in reference to what has been done, and what the citizens of Winterset might expect)—I heard, and it was evidently spoken for my own ears, a man say in company with others of the same sort, who goes by the name of Colonel Brandon, or Brannon, and who is considered their leader, that "we have made a d——d good start, and in four or five days we will be through with Madison County."

Feeling a deep interest in the safety of the loyal citizens of Madison County, and believing that immediate action is the only remedy, I submit the above statement to your better judgment.

I have the honor to be, very respectfully, your obedient servant,

GEO. A. HENRY,
Second Lieut., Company A, Fourth Iowa Vol. Infantry.

[Sub-inclosure No. 2.]

Mr. H. M. HOXIE,
U. S. Marshal, Des Moines, Iowa:

DEAR SIR: You may have an imperfect knowledge of the existence and workings of the Knights of the Golden Circle, now entitled Union Relief Society, but a statement of facts that can be proven, if necessary, will but strengthen your present knowledge, and may aid in accomplishing great good: A man that has gained membership of the above-named order, but that has the good of the country at heart and in view, in becoming a member has given me an insight into their organization, which I will give to you. They are formed, in the usual manner of secret societies, in every township throughout the State. Every four townships makes a sub-district. The secretaries of these four townships meet monthly to compare works and select one of their number to represent them at the county seat and report to the head man of the county, and receive instructions for the ensuing month. Each county is represented at a district meeting held at a selected point in this old Congressional district to report and transact business for a State meeting to be held at Des Moines between the 1st and 10th of April next, unless an emergency should demand a meeting sooner, or policy appoint one later. I will advise you of any change of time. The oath required to become a member is, to support the Constitution of the United States and of this State; to resist draft and all acts of the present Administration; to unite the Northwest with the South; to divulge none of the secrets or workings of the order, under penalty of death. Their passwords and signs are the same throughout the United States, Southern States included. They now claim 42,000 members in this State. They have a large quantity of arms at the residence of Mr. Warner, in Leon, Decatur County; also a large amount of ammunition at the same place at the store of a Mr. Hurst. Their ammunition and arms are got in Missouri, and there is at this time a Mr. McClelland, of Decatur County, after ammunition in Missouri. At one of their late meetings there was an order issued for the removal of a colored man in the lower part of Clarke County to Missouri. If not sent away, they would take him by force. There was a load of arms sent from Decatur County to Madison County last week. There is an ample guard at each of their meetings. They have no regular night of meeting. They meet at such times and places as the surrounding circumstances demand. If any member thinks that by volunteering in the Federal Army he can promote the interests of the order he is at liberty to do so. And if at any time they wish to send a member into the army for the benefit of the order, they select such a one as they think best, and if agreeable to him he is sent. They advocate a defensive position at all times, but claim the right to utter their sentiments at all times and in all places. I will give you future movements as I become in possession of them.

Yours, truly,

PITTSBURG, *March 13, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

Can the colored men here raise a regiment and have their own company officers?

WM. A. ADAIR

WAR DEPARTMENT,
Washington, March 16, 1863.

ROBERT DALE OWEN,
JAMES MCKAYE,
SAMUEL G. HOWE,
Commissioners:

GENTLEMEN: The order, of which the following is a copy, sets forth in general terms the functions and duties with which you are charged by this Department:

Ordered, That Robert Dale Owen, of Indiana; Col. James McKaye, of New York, and Samuel G. Howe, of Boston, Mass., be, and they are hereby appointed commissioners to investigate the condition of the colored population emancipated by acts of Congress and the President's proclamation of January 1, 1863, and to report what measures will best contribute to their protection and improvement, so that they may defend and support themselves; and also, how they can be most usefully employed in the service of the Government for the suppression of the rebellion.

The great and constantly increasing colored population thrown upon the care of this Department in the progress of the war, in the absence of any legislative provision for their protection and disposal, renders it highly proper that it should have not [only] the most authentic and accurate information as to their present condition and as to the experiences of other communities in like crises, but that such practical measures for placing them in a state of self-support and self-defense, with the least possible disturbance to the great industrial interest of the country and of rendering their services efficient in the present war, should be carefully and maturely considered and reported.

With these purposes in view, you will repair to such places as you may deem necessary, in order to obtain on the spot such authentic information as will enable you thoroughly to understand the matters hereby submitted to your investigation. Every aid and facility from Government officials in such places will be secured to you, at your request, by letters addressed to them from the proper Department.

You will be allowed a secretary, and, if you should find it necessary, a corresponding secretary and messenger, and such further aid, stenographic or other, as you may deem essential to carry out the objects of the commission.

You are authorized to procure for the use of the commission such official documents, publications, and other writings (ultimately to be placed in the library of the War Department) as may be necessary in the course of your investigations and in making out your report.

Your compensation will be a per diem of $8, together with quarters, fuel, and subsistence at the rates allowed to a colonel of cavalry; and you will be allowed actual traveling and office expenses on vouchers specifying such expenses, duly certified by the commission.

While from the nature of the duties assigned to you a precise limit cannot be affixed for their termination, and while it is very desirable that they should be prosecuted with all proper assiduity and completed at as early a day as is consistent with their due performance, you are expected to continue your labors until you shall be able fully to complete the investigations and researches herewith committed to your charge, and report the same to the Department.

You may make to me from time to time, as you see fit, preliminary reports during your progress, and your final report will be accom-

panied by such official or authentic documents as may best substantiate the information and the recommendations it shall contain.

EDWIN M. STANTON,
Secretary of War.

GENERAL ORDERS, No. 67. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, March 17, 1863.*

It is hereby ordered, 1. That Col. James B. Fry, assistant adjutant-general, U. S. Army, be, and he is hereby, detailed as Provost-Marshal-General of the United States, in pursuance of section 5 of the act approved March 3, 1863, "for enrolling and calling out the national forces, and for other purposes." He is accordingly authorized and required to perform all the duties of Provost-Marshal-General set forth in the said act, and such other duties as may properly pertain to his office. All communications relating to the business of provost-marshals and the provisions of the act of Congress aforesaid will be addressed to him.

2. That all appointments which have been heretofore made of provost-marshals are hereby revoked.

By order of the Secretary of War:

L. THOMAS,
Adjutant-General.

GENERAL HEADQUARTERS STATE OF NEW YORK,
ADJUTANT-GENERAL'S OFFICE,
Albany, March 17, 1863.

Brig. Gen. LORENZO THOMAS,
Adjutant-General U. S. Army:

GENERAL: The First Division, National Guard of the State of New York, comprising 7,000 efficient, well-organized and equipped men, are located in and around the city of New York. Upon this organization the city must mainly depend when threatened by an enemy, and will form a valuable auxiliary force if attacked. To this end it is essential that this body of men should be instructed in the use of sea-coast guns and to the general detail and discipline incident to garrisons and forts. To accomplish so desirable an object, it is proposed to place in the forts defending New York Harbor, on the 1st day of May next, 2,000 men, and continuing through the months of May, June, July, August, and September, changing monthly. On the 1st day of May this number can be in readiness, with arms, accouterments, and blankets complete, whose names will be recorded upon muster-rolls in the usual form and then turned over to Major-General Wool, with an understanding that these troops are to serve one month in the fortifications and garrisons as common soldiers. If the usual monthly pay cannot be allowed, let such rations be issued as are furnished to the U. S. troops. Upon the expiration of the month another 2,000 will be in readiness, and so continue until this entire force has gone through a course of instruction. Citizens of large mercantile, commercial, and mechanical interests offer the services of men in their employ gratuitously to perfect a plan so desirable in making the citizens of New York feel that in time of danger their well-instructed troops and the skillful use of artillery in fortifications are the protectors of their homes and their property. I am

directed by His Excellency Governor Seymour thus briefly to submit the foregoing for the consideration of the Secretary of War.

I am, general, very respectfully, your obedient servant,

JOHN T. SPRAGUE,
Adjutant-General.

READING, BERKS COUNTY, PA.,
March 17, 1863.

L. C. TURNER, Esq.,
Judge-Advocate, Washington, D. C.:

DEAR SIR: We have received authentic information from a variety of sources in regard to organizations which have been formed in various parts of this country within the past two weeks, and which are doubtless increasing in number, the object of which, so far as we can learn, is to resist the conscription and to set the laws of the United States at defiance. The members pay $1 as an initiation fee, and take an oath, the nature of which is variously stated, but all agree that it has relation to an organized resistance to the draft. At one place we are told that 174 members were sworn in at one time. The parties meet at taverns, private houses, school-houses, and in barns. These combinations, if permitted to exist and increase, may become exceedingly dangerous, especially in this county, where the majority against the Government is so large, and where the people in the rural districts receive their information chiefly from the Reading Eagle, a German newspaper published here, bitterly hostile to the Government.

The friends of the Administration here are taking measures to procure accurate information in regard to number and objects of these societies. They should be nipped in the bud. The rank and file are timid and afraid of the law. If a few arrests were made in the proper way it would have the best effect. I do not know what acts of Congress will meet the case, nor would anything be learned from the Attorney-General at Washington. A letter or two which I sent to his office, in relation to important public business, received the most vague, empty, perfunctory, and circumlocution-office-like replies. Detective W. Y. Lyon thinks it would be well to send Chief Detective Baker to this place, particularly as he speaks German.

Very respectfully, yours,

JNO. S. RICHARDS.

WAR DEPARTMENT,
Washington City, March 19, 1863.

C. A. DANA, Esq.,
Cairo:

Report to me fully from Cairo what the real condition of things is at Vicksburg and on the Mississippi; and do the same from Memphis, where you will await orders.

EDWIN M. STANTON.

INDIANAPOLIS, IND.,
March 19, 1863.

Brig. Gen. L. THOMAS,
Adjutant-General:

Matters assume grave import. Two hundred mounted armed men in Rush County have to-day resisted arrest of deserters. Have sent

100 infantry by special train to arrest the deserters and ringleaders. Southern Indiana is ripe for revolution. Governor Morton is well enough to travel. Will take the evidence to Washington. The Government does not realize the imminent nature of the peril. The sooner the draft comes the better to make the test. Under orders of General Wright, I have stopped the sale of arms in this State. I should have definite and discretionary powers in Indiana at once. The next ten days are of the utmost significance. I know the danger, and speak from actual knowledge of the organization that puts us in peril.*

H. B. CARRINGTON,
Colonel Eighteenth Infantry.

[March 19, 1863.—For General Hunter's General Orders, No. 24, exempting all able-bodied negroes employed by the Engineer Department on permanent fortifications from the operation of General Orders, No. 17, &c., see Series I, Vol. XIV, p. 429.]

GENERAL ORDERS, No. 69. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, March 20, 1863.*

Paragraph 10 of General Orders, No. 36, of 1862, which authorizes the chief medical officer in each city "to employ as cooks, nurses, and attendants any convalescent, wounded, or feeble men, who can perform such duties, instead of giving them discharges," is hereby modified as follows:

At every U. S. general hospital, the feeble and wounded men, unfit for field duty, but not entirely disabled, instead of being discharged, will be organized and mustered in detachments, under the charge of the officers acting as military commanders, who will assign men to them from time to time, on the reports of the surgeons in charge of hospitals. From these invalid detachments the military commanders will make details for provost, hospital, and other necessary guards; for clerks, hospital attendants, nurses, cooks, and other "extra-duty" men.

The invalid detachments will be mustered and reported as detachments, and will be paid on the detachment rolls; but no extra pay will be allowed in any case.

The detachment rolls must show to what company and regiment each man properly belongs, and all assignments to them must be promptly reported to their company commanders. They are not to be dropped from the rolls of those companies, but will be reported on detached service from them.

Should any of the men become fit for duty with their regiments, they will be immediately sent to join them.

In case of a want of non-commissioned officers to give efficiency to the invalid detachments, lance appointments may be made, but without increase of pay.

By order of the Secretary of War:

L. THOMAS,
Adjutant-General.

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*In this connection see "Memorandum of condition of public affairs in Indiana," Series II, Vol. V, p. 363.

WASHINGTON, D. C.,
March 20, 1863.

Maj. Gen. W. S. ROSECRANS,
Comdg. Dept. of the Cumberland, Murfreesborough, Tenn.:

GENERAL: Some time since the President appointed General Andrew Johnson military governor of Tennessee, with authority to administer the civil government of that State during the military occupation by the troops of the United States, or until the proper State government could be reorganized.

It is understood that there has been some conflict of authority between the military forces in that State and the civil government and its civil officers as organized and appointed by Governor Johnson. This has probably resulted from a misunderstanding in regard to the relative powers and jurisdiction of the military authorities of the United States and of the officers of the civil government now existing in the State of Tennessee. I am therefore directed to communicate the following views and instructions of the War Department in regard to this matter.

A State or district of country militarily occupied by the forces of one of the belligerents in a war is subject to the government of the occupying power. The right to govern such territory is not derived from the constitution and laws of the occupying State, nor of the State occupied, but directly and exclusively from the laws of war. Municipal laws may be, but seldom are, enacted for this purpose. The general rules, with regard to governments of military occupation, apply to civil as well as foreign wars, with such modifications only as the particular circumstances of the case may require.

The State of Tennessee, or at least those exercising authority in that State, having attempted to secede from the Union, and having waged war against the Federal Government, the military forces of the United States have occupied a considerable portion of its territory, and the territory so occupied is governed by the general laws of war.

To mitigate as much as possible the evils resulting from a government purely military, and to restore to the loyal people, and to those who are willing to return to their allegiance, the benefits of a civil government, the President directed Governor Johnson to reestablish the civil authorities, courts, and jurisdictions, so far as the circumstances of the case might render it practicable. This has been done, and the civil authorities so organized or restored are as much to be respected as those of Kentucky, Missouri, or any other State in which war is waged and military operations carried on. In other words, the military forces of the United States will not interfere with the authority and jurisdiction of the loyal officers of the State government, except in case of urgent and pressing necessity.

To the provisional State government thus organized in Tennessee must therefore be left the trial and adjudication of all civil and criminal cases cognizable under the laws of that State, and to the courts of the United States, reestablished there, must be left all cases which belong to their jurisdiction under the laws of the United States.

But military offenses, that is, offenses under the Rules and Articles of War and under the "common law and usages of war," are not, as a general rule, cognizable by the civil courts, but must be tried and punished by military tribunals.

It is not always easy to accurately define the dividing line between these two classes of jurisdictions—the civil and military—for in a

country militarily occupied, or in which war is actually waged, this line may vary according to the particular circumstances of the case. Thus, robbery, theft, arson, murder, &c., are ordinarily offenses cognizable by the civil courts, but they may also become military offenses, cognizable by military tribunals. It is a well-established principle that a non-combatant inhabitant of a country militarily occupied, who robs military stores and munitions, burns store-houses, bridges, &c., used for military purposes, or, as military insurgent, bears arms and takes life, may be tried and punished by a military court. Again, in a section of country where there are no regularly constituted civil authorities, or where such authorities are suspended for disloyalty, offenses not ordinarily cognizable by military courts must be tried by such tribunals or allowed to go unpunished. The good of society as well as the safety of the Army requires that crimes should not go unpunished, and where they cannot be taken cognizance of by one class of tribunals they must be by another.

Starting from these general principles, there will be no serious difficulty in assigning each case that may arise to a proper tribunal for adjudication. And if you and Governor Johnson (as I have no doubt you will) act together in harmony, and with an eye single to the general good, there need be no serious conflict of authority in Tennessee. You are both laboring for no selfish or personal objects, but for the accomplishment of the same great and patriotic purpose—the redemption of Tennessee from the oppression of the Confederate oligarchy, and the restoration of her loyal citizens to the rights which they have heretofore enjoyed under the Constitution, and to the protection which is afforded to persons and property by the glorious flag of the Union. A few words upon military courts, and I must close this communication.

Courts-martial, as you must be aware, are courts of special and limited jurisdiction under the Rules and Articles of War, both with regard to persons and offenses. They cannot take jurisdiction of persons or cognizance of offenses not specially authorized by those rules and articles. But the laws of the United States, as well as the military usages of other countries, recognize courts of general military jurisdiction under the common law of war. Such tribunals are with us denominated "military commissions." They have a general jurisdiction under the common law of war, and can try and punish all military offenses not cognizable by courts-martial.

There are no statutes regulating the constitution of these military tribunals, but it is generally agreed that where possible they should be constituted in the same manner and their proceedings be regulated by the same rules as general courts-martial.

I should add that experience has proved that all matters of local police should be left to the civil authorities, and that provost-marshals should be charged only with matters of military police, and that their powers should be confined within narrow limits. This is necessary in order to avoid serious abuses of power.

Very respectfully, your obedient servant,

H. W. HALLECK,
General-in-Chief.

P. S.—Since writing the above the Secretary of War suggests that, as Governor Johnson is a brigadier-general of volunteers, it might be well to place him in command of the troops in Nashville, and thus harmonize the civil and military authorities there.

H. W. H.

HEADQUARTERS DEPARTMENT OF THE OHIO,
Cincinnati, Ohio, March 20, 1863.

Brig. Gen. L. THOMAS,
Adjutant-General U. S. Army, Washington, D. C.:

GENERAL: I have the honor to transmit herewith for the information of the War Department copies of General Orders, Nos. 20 and 22, from these headquarters, prohibiting sales of arms and munitions of war except under certain restrictions.

In reference to this subject it may be proper to state that the information received at these headquarters showed conclusively that a large traffic was being carried in arms, &c., which were designed for disloyal purposes in Ohio, Indiana, Illinois, and Kentucky, in resisting arrest of deserters, enforcement of the conscript act, and any other resistance to the Government authorities which might be decided upon by the disaffected.

As connected with the same matter, I inclose copy of communication to His Honor Mayor Hatch and of his reply thereto, in which he expresses his willingness to co-operate with the military authorities in the enforcement of the order.

I have also the honor to report that the arms in the possession of Mayor Hatch were immediately taken possession of as directed in your dispatch of the 14th instant, and that they were promptly delivered over on demand.

Other arms belonging to the Government have been collected as their whereabouts could be ascertained ever since I came into the command. They were so irregularly issued that it has been almost impossible to get any trace of the persons receiving them or of those in whose hands they now are.

Very respectfully, general, your obedient servant,

H. G. WRIGHT,
Major-General, Commanding.

[Inclosure No. 1.]

HEADQUARTERS DEPARTMENT OF THE OHIO,
Cincinnati, Ohio, March 16, 1863.

His Honor GEORGE HATCH,
Mayor of Cincinnati, Cincinnati, Ohio:

SIR: As instructed by the commanding general of this department, I have the honor to inclose herewith for your information a copy of General Orders, No. 20, of the 14th instant from these headquarters prohibiting the sale of arms, powder, lead, and percussion caps in this city except upon permits granted by the military commander.

You are aware of the necessity for such an order, and it is requested that the police authorities of the city will co-operate with the military in the enforcement of the prohibition, that improper sales may be stopped, and any attempt to violate the order properly punished. Will you please furnish for the information of General Wright a statement of such instructions as you may give to the city police in this matter, that it may be perfectly understood to what extent the military commander of the city may, with your approval, instruct the police.

Colonel Eastman will be instructed to call and confer with you to the end that the civil and military authorities may co-operate harmoniously and successfully. An early answer is respectfully requested.

Very respectfully, your obedient servant,

N. H. McLEAN,
Assistant Adjutant-General and Chief of Staff.

[Inclosure No. 2.]

GENERAL ORDERS, No. 20. } HDQRS. DEPARTMENT OF THE OHIO, *Cincinnati, Ohio, March 14, 1863.*

Reliable information having been received that arms and ammunition have been purchased in this city for disloyal purposes, all sales of arms, powder, lead, and percussion caps are prohibited till further orders, except upon permits granted by the military commander of Cincinnati.

Any violation of this order will be followed by the confiscation of the goods sold and the seizure of the stock of the vendor; and the police authorities of the city are authorized and requested to co-operate with the military in the enforcement of this prohibition.

By command of Major-General Wright:

N. H. MCLEAN,
Assistant Adjutant-General and Chief of Staff.

[Inclosure No. 3.]

MAYOR'S OFFICE, *March 18, 1863.*

Maj. N. H. MCLEAN,
Assistant Adjutant-General, &c.:

SIR: I have the honor to acknowledge the receipt of yours of the 16th instant, covering copy of General Orders, No. 20, of Major-General Wright, commanding Department of the Ohio, prohibiting the sale of arms and ammunition in this city.

As mayor of the city of Cincinnati I beg to submit, through you, to General Wright that the strict line of my duty does not extend to the enforcement of military orders, but is confined to the preservation of the peace, the execution of the laws of the State, and the enforcement of ordinances of the city; yet, I assure the general and the military commander of the city that, as head of the civil authority, I shall always cheerfully co-operate with the military authorities in any measure which may be deemed for the interest of the city, the welfare of our country, or necessary for the support of the Government of the United States. In view of the highly excited state of the public mind throughout the country, leading at times to serious apprehension of disorder, I think it of the utmost importance that a feeling of harmony should exist between the civil and military authorities, and shall use my greatest efforts to continue the present good feeling, and shall confidently rely upon the co-operation and assistance of the military force to sustain the civil power should occasion ever require me to have resort to such for the preservation of the peace of the city, a contingency which I am happy to say I do not now apprehend.

I inclose herewith a copy of an order to the police force of the city in reference to the enforcement of General Orders, No. 20, before referred to, and have the honor to be, with much respect,

Your obedient servant,

GEORGE HATCH,
Mayor.

[Sub-inclosure.]

MAYOR'S OFFICE,
Cincinnati, March 17, 1863.

L. M. HAZEN, Esq.,
Chief of Police:

SIR: You will direct the accompanying order to be read at roll-call at each police station.

By order of—

GEORGE HATCH,
Mayor.

C. S. BETTS,
Clerk.

MAYOR'S OFFICE,
City of Cincinnati, March 17, 1863.

The attention of the police force is directed to the following General Orders, No. 20, from Major-General Wright, commanding Department of the Ohio:*

The officers of the police are directed to promptly report to the chief of police any instances of violation, or suspected violation, of the foregoing orders which may come within their notice.

By order of the mayor:

C. S. BETTS,
Mayor's Clerk.

[Inclosure No. 4.]

GENERAL ORDERS, No. 22. } HDQRS. DEPARTMENT OF THE OHIO,
Cincinnati, Ohio, March 19, 1863.

It having been ascertained that a large traffic in arms, powder, lead, and percussion caps is carried on at numerous points within the limits of this department for purposes and uses disloyal to the Government of the United States, the provisions of General Orders, No. 20, of the 14th instant, from these headquarters, prohibiting the sale of arms and munitions of war, are extended to embrace the limits of the department.

Permits to purchase may be obtained of the military commander of the city or town where the sale is made; or if there be no such military commander in the place, then of the military commander of the city or town nearest to the place where the sale is made, or of the commanding officer of a district within the department, upon the purchasers giving such security to the officer granting the permit as he shall deem sufficient that they will not sell, barter, give, or convey any such arms or munitions of war to any person disloyal to the Government of the United States, or to any person who will use such articles for purposes disloyal to the Government of the United States, or to any person from whom such articles shall pass into the possession of either of the above-mentioned classes.

Persons violating this order will be liable to arrest and trial and the forfeiture to the United States of any and all munitions of war in their possession.

The civil authorities and all loyal citizens are invited to aid the military authorities in carrying this order into effect.

By command of Major-General Wright:

N. H. McLEAN,
Assistant Adjutant-General and Chief of Staff.

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*See inclosure No. 2, p. 80.

GENERAL ORDERS, No. 70. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, March 21, 1863.*

To answer the frequent inquiries made by general and other officers as to whom they shall report when newly promoted, it is hereby announced that, unless otherwise specially ordered, they will continue on duty in their respective departments or armies and will be assigned by the commanders thereof.

By command of Major-General Halleck:

L. THOMAS,
Adjutant-General.

WAR DEPARTMENT,
Washington City, March 21, 1863.

WILLIAM A. ADAIR, *Pittsburg, Pa.:*

If a regiment of colored men can be raised in Pittsburg I will authorize them to have their own officers.

EDWIN M. STANTON,
Secretary of War.

EXECUTIVE OFFICE,
Iowa City, Iowa, March 23, 1863.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.:

SIR: I have the honor to inclose and ask your attention to a copy of a proclamation this day issued by me and to a copy of a letter just received from Mr. Everett, collector of the Federal revenue in the Fifth Congressional District of this State. I am almost daily in receipt of letters from persons on the southern border of Iowa giving me information similar to that contained in the letter of Mr. Everett.

I do not think it advisable at present to suspend the writ of habeas corpus in this State, or to remove any officials, but I ask that clear and explicit instructions be sent to the U. S. district attorney and U. S. marshal for the State, and to provost-marshals appointed or to be appointed under the conscription law, to be diligent to hunt up all men in this State who have been in the rebel service or otherwise been violating the laws of the United States in Missouri and have fled to this State and are here engaged in a course of conduct dangerous to the peace and good order of the State.

I also call your attention to my letters asking arms for the State and authority to organize two or three regiments as a State guard.

If these things be done, in my judgment things can be kept quiet here and the conscription enforced if ordered. If not, there is real danger of difficulty, and if a conscription be ordered it must be necessary, to insure its execution and quiet in the State, to have one or more of our regiments in the field sent home.

Very respectfully, your obedient servant,

SAMUEL J. KIRKWOOD.

[Inclosure No. 1.]

PROCLAMATION BY THE GOVERNOR.

EXECUTIVE OFFICE, IOWA,
March 23, 1863.

TO THE PEOPLE OF IOWA:

There is good reason to believe that a very considerable number of men, some of whom have been in the rebel army, and others of whom

have, as guerrillas, been engaged in plundering and murdering Union men in the State of Missouri, have taken refuge in this State to escape the punishment due to their crimes, and that instead of seeking to merit a pardon for past offenses by living peaceably and quietly among us as becomes good citizens, many of them are endeavoring to array a portion of our people in armed resistance to the laws, and I very deeply regret to say there is reason to believe that some of our people have been found weak enough or wicked enough to aid them in their mischievous designs.

These men, by bold and fierce denunciations of certain acts of the President and of the Congress of the United States as unconstitutional, and by industriously teaching that the citizen may lawfully resist with force what he deems an unconstitutional act or law, and in other ways, are seeking to array such as may be duped and deceived by their artful and wicked machinations into armed resistance to the authority of the General Government and to inaugurate civil war within our limits, thus exposing their dupes to the punishment due to traitors, and our State to the storm of war which has swept as with fire the State of Missouri. These men are endeavoring to induce our soldiers in the field to desert their colors, thus exposing them to the penalty of desertion, which is death; and are endeavoring to induce our citizens to violate the law by resisting the arrest of deserters and a conscription in this State, if ordered, thereby exposing themselves to the punishment due such criminal acts.

It is my duty to, and I therefore do, warn these men that their courses are fraught with peril to themselves and to the peace and good order of the State, and if persisted in to the extremity they intend will certainly bring punishment; and I also warn all the good people of the State, as they value peace and good order and would avoid the horrors of civil war, not to be misled by these wicked and designing men who, having nothing to lose, hope for plunder and profit in the license of civil war. The laws of the General Government will be enforced among us at any cost and at all hazards, and the men who array themselves in armed resistance to the laws will certainly be overpowered and punished.

As long as those who have sought shelter in Iowa from other States behaved as quiet and peaceable citizens, I have had no disposition to interfere with or molest them, but it cannot be tolerated that these men, who have been compelled to flee from their own State for fear of the punishment of crimes committed against the laws of their State or of the United States, should, while enjoying the protection of our laws, be permitted to bring among our peaceful homes and upon our peaceful people all the horrors they have brought upon the State from which they fled. We owe it not only to ourselves and our families, but much more to the families of those who have left us to defend on the battlefield the life of our country, that we preserve peace and good order at home. It must be a bitter reflection to our gallant soldiers that while they are enduring the hardships and dangers of a soldier's life in defense of their country bad men at home are plotting to bring upon their unprotected families the dangers of civil war. Moved by these considerations, I have this day notified the proper authorities of the United States and of the State of Missouri that many criminals against their laws are in Iowa engaged, as I believe, in inciting rebellion, and that I shall insist upon their arrest and removal where necessary, and their trial for their crimes, if their conduct shall continue to be such as is dangerous to the peace and safety of the State; and I enjoin upon all good citizens who know that such men are among them that they

especially notice their demeanor and conduct, and if it be seditious and dangerous that they furnish the U. S. district attorney or the U. S. marshal, or either of the Congressional district provost-marshals to be appointed, or myself, with their names and affidavits showing their criminality before coming to this State and their conduct since, to the end that our State may be relieved of the danger of their presence.

SAMUEL J. KIRKWOOD.

[Inclosure No. 2.]

CORYDON, IOWA, *March 13, 1863.*

Hon. S. J. KIRKWOOD,
Governor, &c.:

DEAR SIR: My official duties having taken me through Warren, Lucas, and Corydon, I am led to communicate such information as may be useful to you and the State. I conversed with all the prominent Union men and the impression is universal that the secessionists are actively preparing and organizing resistance to the Government. In these counties they are holding secret meetings, becoming more defiant and bold in their denunciations of the North, and in some localities actually cowing the Union men.

The universal desire is for the proclamation of martial law over the whole State, the removal by the Provost-Marshal-General of every disloyal sheriff, judge, and public officer, and the disarming of all known sympathizers. Unless these measures are adopted, it is my belief, founded upon what I have ascertained in the last two weeks, that Southern Iowa soon will be in as bad condition as ever Missouri was.

A large number of bad men, driven out of Missouri by the Unionists, have taken refuge in the border and second tier of counties, and are most active in creating discontent. It is a shame that the Government should permit these men to come into the State. They are doing great mischief; are the leaders and organizers of most of the secret meetings.

They should at once be arrested and made to go south into Missouri. They can do us infinitely less mischief in the rebel army than here.

My information comes in this county from Mr. Thomas, Mr. Hartshorn, and Captain Esteb—all true, faithful men.

Very respectfully,

HORACE EVERETT,
Collector, &c.

GENERAL ORDERS, No. 72. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, March 24, 1863.*

Commanders of regiments, battalions not included in regiments, independent companies or batteries, and detachments, surgeons in charge of hospitals or detachments, and all persons in the military service commanding or controlling commissioned officers or enlisted men on special or detached service, will report upon the last day of each month to Col. James B. Fry, Provost-Marshal-General of the United States, at Washington, D. C., the names of all deserters from their respective commands who have deserted since their last report, or who have not previously been reported. These reports will be made in the form of descriptive lists, setting forth, in case of each deserter, his name, rank, regiment or company, description, place of

birth, residence, occupation, place of enlistment, date of last payment, amount of bounty due, date and place of desertion, and the place where he can probably be found, with such other remarks as may be pertinent in the matter or may aid in the arrest and punishment of the offender. Where no desertions have taken place during the month, the regular form of descriptive list will be forwarded, and the fact will be noted upon it. The lists will in all cases be made in duplicate; one copy will be forwarded direct to the Provost-Marshal-General, and the other, through the ordinary military channels, to the Adjutant-General, at Washington, who will refer the same to the Provost-Marshal-General. When lists are rendered by surgeons, one copy will be sent direct to the Provost-Marshal-General, and the duplicate, through the regular channel, to the Surgeon-General, who will refer the same to the Provost-Marshal-General.

By order of the Secretary of War:

L. THOMAS,
Adjutant-General.

GENERAL ORDERS, No. 73. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, March 24, 1863.*

The following acts and resolutions of Congress are published for the information of all concerned:

I. PUBLIC RESOLUTION—No. 9.

JOINT RESOLUTION to revive "An act to secure to the officers and men actually employed in the Western Department, or Department of Missouri, their pay, bounty, and pension, and for other purposes."—(*See General Orders, No. 91, of 1862, p. 26.*)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of a joint resolution entitled "A resolution to suspend all payments under the act approved the twenty-fifth of March, eighteen hundred and sixty-two, entitled 'An act to secure to the officers and men actually employed in the Western Department, or Department of Missouri, their pay, bounty, and pension, and for other purposes,'" approved July twelfth, eighteen hundred and sixty-two, be and they are hereby revived, and the commissioners therein provided for shall be allowed six months from the passage of this resolution within which to make their report.

Approved February 16, 1863.

II. PUBLIC—No. 43.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending thirtieth June, eighteen hundred and sixty-four, and for the year eighteen hundred and sixty-three, and for other purposes.

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SEC. 2. *And be it further enacted,* That, in addition to the clerical force now authorized by law, the following clerks and employés are hereby authorized in the several departments and offices hereinafter specified, to be employed and continue only during the rebellion, and for one year after its close, viz:

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In the office of the Secretary of War, six clerks of class four and eight of class one.

In the office of the Chief of Ordnance of the War Department, three clerks of class four and twenty of class one.

In the office of the Adjutant-General, eight clerks of class two and twenty of class one.

In the office of the Commissary-General, twelve clerks of class one and one laborer at a salary of six hundred dollars per annum.

In the office of the Surgeon-General, one clerk of class four, one of class three, two of class two, and twenty-one of class one.

In the office of the Paymaster-General, four clerks of class three and sixteen of class one; and in the office of the Chief of Engineers, two clerks of class one.

And the several clerks and other employés authorized by this section shall be appointed by the heads of the several departments to which they are severally attached, and the amount necessary to pay their salaries from the time of their appointment, for the fiscal year ending June thirty, eighteen hundred and sixty-three, and for the fiscal year ending June thirty, eighteen hundred and sixty-four, is hereby appropriated therefor.

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Approved February 25, 1863.

III. PUBLIC—No. 45.

AN ACT to amend an act entitled "An act to prevent members of Congress and officers of the Government of the United States from taking considerations for procuring contracts, office, or place from the United States, and for other purposes."—(See *General Orders, No. 91, of 1862, p. 7.*)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of said act shall be so construed as to embrace any agent of the Government of the United States.

Approved February 25, 1863.

IV. PUBLIC—No. 46.

AN ACT to prevent and punish frauds upon the Government of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person in the land or naval forces of the United States, or in the militia in actual service of the United States, in time of war, who shall make or cause to be made, or present or cause to be presented for payment or approval to or by any person or officer in the civil or military service of the United States, any claim upon or against the Government of the United States, or any department or officer thereof, knowing such claim to be false, fictitious, or fraudulent; any person in such forces or service who shall, for the purpose of obtaining, or aiding in obtaining, the approval or payment of such claim, make, use, or cause to be made or used, any false bill, receipt, voucher, entry, roll, account, claim, statement, certificate, affidavit, or deposition, knowing the same to contain any false or fraudulent statement or entry; any person in said forces or service who shall make or procure to be made, or knowingly advise the making of any false oath to any fact, statement, or certificate, voucher or entry, for the purpose of obtaining, or of aiding to obtain, any approval or payment of any claim against the United States, or any department or officer thereof; any person in said forces or service who, for the purpose of obtaining or enabling any other person to obtain from the Government of the United States, or any department or officer thereof, any payment or allowance, or the approval or signature of any person in the military, naval, or civil service of the United States, of or to any false, fraudulent, or fictitious claim, shall forge or counterfeit, or cause or procure to be forged or counterfeited, any signature upon any bill, receipt, voucher, account, claim, roll, statement, affidavit, or deposition; and any person in said forces or service who shall utter or use the same as true or genuine, knowing the same to have been forged or counterfeited; any person in said forces or service who shall enter into any agreement, combination, or conspiracy to cheat or defraud the Government of the United States, or any department or officer thereof, by obtaining, or aiding and assisting to obtain, the payment or allowance of any false or fraudulent claim; any person in said forces or service who shall steal, embezzle, or knowingly and wilfully misappropriate or apply to his own use or benefit, or who shall wrongfully and knowingly sell, convey, or dispose of any ordnance, arms, ammunition, clothing, subsistence stores, money, or other property of the United States, furnished or to be used for the military or naval service of the United States; any contractor, agent, paymaster, quartermaster, or other person whatsoever in said forces or service having charge, possession, custody, or control of any money or other public property, used or to be used in the military or naval service of the United States, who shall, with intent to defraud the United States, or wilfully to conceal such money or other property, deliver or cause to be delivered to any other person having authority to receive the same any amount of such money or other public property less than that for which he shall receive certificate or receipt; any person in said forces or service who is or shall be authorized to make or deliver any certificate, voucher, or receipt, or other paper certifying the receipt of arms, ammunition, provisions, clothing, or other public property so used or to be used, who shall make or deliver the same to any

person without having full knowledge of the truth of the facts stated therein, and with intent to cheat, defraud, or injure the United States; any person in said forces or service who shall knowingly purchase or receive, in pledge for any obligation or indebtedness, from any soldier, officer, or other person called into or employed in said forces or service, any arms, equipments, ammunition, clothes, or military stores, or other public property, such soldier, officer, or other person not having the lawful right to pledge or sell the same, shall be deemed guilty of a criminal offence, and shall be subject to the rules and regulations made for the government of the military and naval forces of the United States, and of the militia when called into and employed in the actual service of the United States in time of war, and to the provisions of this act. And every person so offending may be arrested and held for trial by a court-martial, and if found guilty shall be punished by fine and imprisonment, or such other punishment as the court-martial may adjudge, save the punishment of death.

SEC. 2. *And be it further enacted*, That any person heretofore called or hereafter to be called into or employed in such forces or service, who shall commit any violation of this act and shall afterwards receive his discharge, or be dismissed from the service, shall, notwithstanding such discharge or dismissal, continue to be liable to be arrested and held for trial and sentenced by a court-martial, in the same manner and to the same extent as if he had not received such discharge or been dismissed.

SEC. 3. *And be it further enacted*, That any person not in the military or naval forces of the United States, nor in the militia called into or actually employed in the service of the United States, who shall do or commit any of the acts prohibited by any of the foregoing provisions of this act, he shall forfeit and pay to the United States the sum of two thousand dollars, and, in addition, double the amount of damages which the United States may have sustained by reason of the doing or committing such act, together with the costs of suit; and such forfeiture and damages shall be sued for in the same suit, and every such person shall in addition thereto, on conviction in any court of competent jurisdiction, be punished by imprisonment not less than one nor more than five years, or by fine of not less than one thousand dollars, and not more than five thousand dollars.

SEC. 4. *And be it further enacted*, That the several district courts of the United States, the circuit court of the District of Columbia, or any court therein to be established having general jurisdiction in civil cases, the several district courts of the Territories of the United States within whose jurisdictional limits the person doing or committing such act shall be found, shall, wheresoever such act may have been done or committed, have full power and jurisdiction to hear, try, and determine such suit. Such suit may be brought and carried on by any person, as well for himself as for the United States; the same shall be at the sole cost and charge of such person, and shall be in the name of the United States, but shall not be withdrawn or discontinued without the consent, in writing, of the judge of the court and the district attorney, first filed in the case, setting forth their reasons for such consent.

SEC. 5. *And be it further enacted*, That it shall be the duty of the several district attorneys of the United States for the respective district[s] for the District of Columbia, and for the several Territories, to be diligent in inquiring into any violation of the provisions of this act by persons liable to such suit, and found within their respective districts or Territories, and to cause him or her to be proceeded against in due form of law for the recovery of such forfeiture and damages. And such person may be arrested and held to bail in such sum as the district judge may order, not exceeding the said sum of two thousand dollars, and twice the amount of the damages sworn to in the affidavit of the person bringing the suit.

SEC. 6. *And be it further enacted*, That the person bringing said suit and prosecuting it to final judgment shall be entitled to receive one-half the amount of such forfeiture, as well as one-half the amount of the damages he shall recover and collect; and the other half thereof shall belong to and be paid over to the United States; and such person shall be entitled to receive to his own use all costs the court may award against the defendant, to be allowed and taxed according to any provisions of law or rule of court in force, or that shall be in force in suits between private parties in said court: *Provided*, That such person shall be liable for all costs incurred by himself in the case, and shall have no claim therefor on the United States.

SEC. 7. *And be it further enacted*, That every such suit shall be commenced within six years from the doing or committing the act, and not afterwards.

SEC. 8. *And be it further enacted*, That no officer or agent of any banking or other commercial corporation, and no member of any mercantile or trading firm, or person directly or indirectly interested in the pecuniary profits or contracts of

such corporation or firm, shall be employed or shall act as an officer or agent of the United States for the transaction of business with such corporation or firm; and every such *such* officer, agent, or member, or person, so interested, who shall so act, shall, upon conviction thereof, be punished by a fine of not more than two thousand dollars nor less than five hundred dollars, and by imprisonment for a term not exceeding two years.

SEC. 9. *And be it further enacted*, That all acts and parts of acts inconsistent with or repugnant to any of the provisions of this act are hereby repealed, saving, however, and excepting any and all suits or prosecutions now commenced pending, and all rights of suit or prosecution under any prior act of Congress, on account of the doing or committing of any act hereby prohibited; and all rights and claims which the United States, or any person or persons, now have, growing out of such prior act; all which pending suits and prosecutions shall proceed and be determined, and all which rights and claims shall remain and be as valid and effectual as if this present act had not been passed; nor shall this act be so construed as in any way to impair or affect the obligation, duty, or liability of any person who now is or shall hereafter become the surety of any person contracting with the United States, or any officer or agent thereof; but every such surety shall be liable and answerable for the default of his principal in the same manner as if this act had not been passed, save to the extent to which his principal has performed the contract, or, if damages have been so recovered, to the extent of one-half of the damages so recovered and paid; which last amount may be shown in reduction of damages in any suit brought against the principal and surety, or principals and sureties, on their contract.

Approved March 2, 1863.

V. PUBLIC—No. 47.

AN ACT to authorize an increase in the number of major-generals and brigadier-generals for forces in the service of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the four major-generals and nine brigadier-generals for the Regular Army, and the forty major-generals and two hundred brigadier-generals for the volunteer service, authorized by the existing laws, there may be appointed thirty major-generals and seventy-five brigadier-generals for forces in the service of the United States other than the Regular Army: *Provided*, That the officers to be appointed under this act shall be selected from those who have been conspicuous for gallant or meritorious conduct in the line of duty.

Approved March 2, 1863.

VI. PUBLIC—No. 54.

AN ACT for enrolling and calling out the national forces, and for other purposes.

Whereas there now exists in the United States an insurrection and rebellion against the authority thereof, and it is, under the Constitution of the United States, the duty of the Government to suppress insurrection and rebellion, to guarantee to each State a republican form of government, and to preserve the public tranquillity; and whereas, for these high purposes a military force is indispensable, to raise and support which all persons ought willingly to contribute; and whereas no service can be more praiseworthy and honorable than that which is rendered for the maintenance of the Constitution and Union, and the consequent preservation of free government: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all able-bodied male citizens of the United States, and persons of foreign birth who shall have declared on oath their intention to become citizens under and in pursuance of the laws thereof, between the ages of twenty and forty-five years, except as hereinafter excepted, are hereby declared to constitute the national forces, and shall be liable to perform military duty in the service of the United States when called out by the President for that purpose.

SEC. 2. *And be it further enacted*, That the following persons be, and they are hereby, excepted and exempt from the provisions of this act, and shall not be liable to military duty under the same, to wit: Such as are rejected as physically or mentally unfit for the service; also, first, the Vice-President of the United States, the judges of the various courts of the United States, the heads of the various executive departments of the Government, and the governors

of the several States. Second, the only son liable to military duty of a widow dependent upon his labor for support. Third, the only son of aged or infirm parent or parents dependent upon his labor for support. Fourth, where there are two or more sons of aged or infirm parents subject to draft, the father, or, if he be dead, the mother may elect which son shall be exempt. Fifth, the only brother of children not twelve years old, having neither father nor mother, dependent upon his labor for support. Sixth, the father of motherless children under twelve years of age dependent upon his labor for support. Seventh, where there are a father and sons in the same family and household, and two of them are in the military service of the United States as non-commissioned officers, musicians, or privates, the residue of such family and household not exceeding two shall be exempt. And no persons but such as are herein excepted shall be exempt: *Provided, however*, That no person who has been convicted of any felony shall be enrolled or permitted to serve in said forces.

SEC. 3. *And be it further enacted*, That the national forces of the United States not now in the military service, enrolled under this act, shall be divided into two classes: the first of which shall comprise all persons subject to do military duty between the ages of twenty and thirty-five years, and all unmarried persons subject to do military duty above the age of thirty-five and under the age of forty-five; the second class shall comprise all other persons subject to do military duty; and they shall not, in any district, be called into the service of the United States until those of the first class shall have been called.

SEC. 4. *And be it further enacted*, That for greater convenience in enrolling, calling out, and organizing the national forces, and for the arrest of deserters and spies of the enemy, the United States shall be divided into districts, of which the District of Columbia shall constitute one, each Territory of the United States shall constitute one or more, as the President shall direct, and each Congressional district of the respective States, as fixed by a law of the State next preceding the enrollment, shall constitute one: *Provided*, That in States which have not by their laws been divided into two or more Congressional districts the President of the United States shall divide the same into so many enrollment districts as he may deem fit and convenient.

SEC. 5. *And be it further enacted*, That for each of said districts there shall be appointed by the President a provost-marshal, with the rank, pay, and emoluments of a captain of cavalry, or an officer of said rank shall be detailed by the President, who shall be under the direction and subject to the orders of a provost-marshal-general, appointed or detailed by the President of the United States, whose office shall be at the seat of government, forming a separate bureau of the War Department, and whose rank, pay, and emoluments shall be those of a colonel of cavalry.

SEC. 6. *And be it further enacted*, That it shall be the duty of the Provost-Marshal-General, with the approval of the Secretary of War, to make rules and regulations for the government of his subordinates; to furnish them with the names and residences of all deserters from the army, or any of the land forces in the service of the United States, including the militia, when reported to him by the commanding officers; to communicate to them all orders of the President in reference to calling out the national forces; to furnish proper blanks and instructions for enrolling and drafting; to file and preserve copies of all enrollment lists; to require stated reports of all proceedings on the part of his subordinates; to audit all accounts connected with the service under his direction; and to perform such other duties as the President may prescribe in carrying out the provisions of this act.

SEC. 7. *And be it further enacted*, That it shall be the duty of the provost-marshals to arrest all deserters, whether regulars, volunteers, militiamen, or persons called into the service under this or any other act of Congress, wherever they may be found, and to send them to the nearest military commander or military post; to detect, seize, and confine spies of the enemy, who shall, without unreasonable delay, be delivered to the custody of the general commanding the department in which they may be arrested, to be tried as soon as the exigencies of the service permit; to obey all lawful orders and regulations of the Provost-Marshal-General, and such as may be prescribed by law, concerning the enrollment and calling into service of the national forces.

SEC. 8. *And be it further enacted*, That in each of said districts there shall be a board of enrollment, to be composed of the provost-marshal, as president, and two other persons, to be appointed by the President of the United States, one of whom shall be a licensed and practicing physician and surgeon.

SEC. 9. *And be it further enacted*, That it shall be the duty of the said board to divide the district into sub-districts of convenient size, if they shall deem it

necessary, not exceeding two, without the direction of the Secretary of War, and to appoint, on or before the tenth day of March next, and in each alternate year thereafter, an enrolling officer for each sub-district, and to furnish him with proper blanks and instructions; and he shall immediately proceed to enroll all persons subject to military duty, noting their respective places of residence, ages on the first day of July following, and their occupation, and shall, on or before the first day of April, report the same to the board of enrollment, to be consolidated into one list, a copy of which shall be transmitted to the Provost-Marshal-General on or before the first day of May succeeding the enrollment: *Provided, nevertheless*, That if, from any cause, the duties prescribed by this section cannot be performed within the time specified, then the same shall be performed as soon thereafter as practicable.

SEC. 10. *And be it further enacted*, That the enrollment of each class shall be made separately, and shall only embrace those whose ages shall be on the first day of July thereafter between twenty and forty-five years.

SEC. 11. *And be it further enacted*, That all persons thus enrolled shall be subject, for two years after the first day of July succeeding the enrollment, to be called into the military service of the United States, and to continue in service during the present rebellion, not, however, exceeding the term of three years; and when called into service shall be placed on the same footing, in all respects, as volunteers for three years, or during the war, including advance pay and bounty as now provided by law.

SEC. 12. *And be it further enacted*, That whenever it may be necessary to call out the national forces for military service, the President is hereby authorized to assign to each district the number of men to be furnished by said district; and thereupon the enrolling board shall, under the direction of the President, make a draft of the required number, and fifty per cent. in addition, and shall make an exact and complete roll of the names of the persons so drawn, and of the order in which they were drawn, so that the first drawn may stand first upon the said roll, and the second may stand second, and so on. And the person so drawn shall be notified of the same within ten days thereafter by a written or printed notice, to be served personally or by leaving a copy at the last place of residence, requiring them to appear at a designated rendezvous to report for duty. In assigning to the districts the number of men to be furnished therefrom, the President shall take into consideration the number of volunteers and militia furnished by and from the several States in which said districts are situated, and the period of their service since the commencement of the present rebellion, and shall so make said assignment as to equalize the numbers among the districts of the several States, considering and allowing for the numbers already furnished as aforesaid and the time of their service.

SEC. 13. *And be it further enacted*, That any person drafted and notified to appear as aforesaid may, on or before the day fixed for his appearance, furnish an acceptable substitute to take his place in the draft, or he may pay to such person as the Secretary of War may authorize to receive it, such sum, not exceeding three hundred dollars, as the Secretary may determine, for the procuration of such substitute, which sum shall be fixed at a uniform rate by a general order made at the time of ordering a draft for any State or Territory; and thereupon such person so furnishing the substitute, or paying the money, shall be discharged from further liability under that draft. And any person failing to report after due service of notice as herein prescribed, without furnishing a substitute, or paying the required sum therefor, shall be deemed a deserter, and shall be arrested by the provost-marshal and sent to the nearest military post for trial by court-martial, unless, upon proper showing that he is not liable to do military duty, the board of enrollment shall relieve him from the draft.

SEC. 14. *And be it further enacted*, That all drafted persons shall, on arriving at the rendezvous, be carefully inspected by the surgeon of the Board, who shall truly report to the Board the physical condition of each one; and all persons drafted and claiming exemption from military duty on account of disability, or any other cause, shall present their claims to be exempted to the Board, whose decision shall be final.

SEC. 15. *And be it further enacted*, That any surgeon charged with the duty of such inspection who shall receive from any person whomsoever any money or other valuable thing, or agree, directly or indirectly, to receive the same to his own or another's use, for making an imperfect inspection or a false or incorrect report, or who shall wilfully neglect to make a faithful inspection and true report, shall be tried by a court-martial, and, on conviction thereof, be punished by fine not exceeding five hundred dollars nor less than two hundred, and be imprisoned at the discretion of the court, and be cashiered and dismissed from the service.

SEC. 16. *And be it further enacted*, That as soon as the required number of able-bodied men liable to do military duty shall be obtained from the list of those drafted, the remainder shall be discharged. And all drafted persons reporting at the place of rendezvous shall be allowed travelling pay from their places of residence; and all persons discharged at the place of rendezvous shall be allowed travelling pay to their places of residence; and all expenses connected with the enrollment and draft, including subsistence while at the rendezvous, shall be paid from the appropriation for enrolling and drafting, under such regulations as the President of the United States shall prescribe; and all expenses connected with the arrest and return of deserters to their regiments, or such other duties as the provost-marshals shall be called upon to perform, shall be paid from the appropriation for arresting deserters, under *such* regulations as the President of the United States shall prescribe: *Provided*, The provost-marshals shall in no case receive commutation for transportation or for fuel and quarters but only for forage, when not furnished by the Government, together with actual expenses of postage, stationery, and clerk hire authorized by the Provost-Marshal-General.

SEC. 17. *And be it further enacted*, That any person enrolled and drafted according to the provisions of this act who shall furnish an acceptable substitute, shall thereupon receive from the board of enrollment a certificate of discharge from such draft, which shall exempt him from military duty during the time for which he was drafted; and such substitute shall be entitled to the same pay and allowances provided by law as if he had been originally drafted into the service of the United States.

SEC. 18. *And be it further enacted*, That such of the volunteers and militia now in the service of the United States as may re-enlist to serve one year, unless sooner discharged, after the expiration of their present term of service, shall be entitled to a bounty of fifty dollars, one-half of which to be paid upon such re-enlistment, and the balance at the expiration of the term of re-enlistment. And such as may re-enlist to serve for two years, unless sooner discharged, after the expiration of their present term of enlistment, shall receive, upon such re-enlistment, twenty-five dollars of the one hundred dollars bounty for enlistment provided by the fifth section of the act approved twenty-second of July, eighteen hundred and sixty-one, entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property."

SEC. 19. *And be it further enacted*, That whenever a regiment of volunteers of the same arm, from the same State, is reduced to one-half the maximum number prescribed by law, the President may direct the consolidation of the companies of such regiment: *Provided*, That no company so formed shall exceed the maximum number prescribed by law. When such consolidation is made the regimental officers shall be reduced in proportion to the reduction in the number of companies.

SEC. 20. *And be it further enacted*, That whenever a regiment is reduced below the minimum number allowed by law, no officers shall be appointed in such regiment beyond those necessary for the command of such reduced number.

SEC. 21. *And be it further enacted*, That so much of the fifth section of the act approved seventeenth July, eighteen hundred and sixty-two, entitled "An act to amend an act calling forth the militia to execute the laws of the Union," and so forth, as requires the approval of the President to carry into execution the sentence of a court-martial, be and the same is hereby repealed, as far as relates to carrying into execution the sentence of any court-martial against any person convicted as a spy or deserter, or of mutiny or murder; and hereafter sentences in punishment of these offenses may be carried into execution upon the approval of the commanding general in the field.

SEC. 22. *And be it further enacted*, That courts-martial shall have power to sentence officers who shall absent themselves from their commands without leave to be reduced to the ranks, to serve three years or during the war.

SEC. 23. *And be it further enacted*, That the clothes, arms, military outfits, and accouterments furnished by the United States to any soldier shall not be sold, bartered, exchanged, pledged, loaned, or given away; and no person not a soldier or duly authorized officer of the United States, who has possession of any such clothes, arms, military outfits, or accouterments, furnished as aforesaid, and which have been the subject of any such sale, barter, exchange, pledge, loan, or gift, shall have any right, title, or interest therein; but the same may be seized and taken wherever found by any officer of the United States, civil or military, and shall thereupon be delivered to any quartermaster or other officer authorized to receive the same; and the possession of any such clothes, arms, military outfits, or accouterments by any person not a soldier or officer of the United States

shall be prima facie evidence of such a sale, barter, exchange, pledge, loan, or gift, as aforesaid.

SEC. 24. *And be it further enacted*, That every person not subject to the Rules and Articles of War who shall procure or entice, or attempt to procure or entice, a soldier in the service of the United States to desert; or who shall harbor, conceal, or give employment to a deserter, or carry him away, or aid in carrying him away, knowing him to be such; or who shall purchase from any soldier his arms, equipments, ammunition, uniform, clothing, or any part thereof; and any captain or commanding officer of any ship or vessel, or any superintendent or conductor of any railroad, or any other public conveyance, carrying away any such soldier as one of his crew or otherwise, knowing him to have deserted, or shall refuse to deliver him up to the orders of his commanding officer, shall, upon legal conviction, be fined, at the discretion of any court having cognizance of the same, in any sum not exceeding five hundred dollars, and he shall be imprisoned not exceeding two years nor less than six months.

SEC. 25. *And be it further enacted*, That if any person shall resist any draft of men enrolled under this act into the service of the United States, or shall counsel or aid any person to resist any such draft; or shall assault or obstruct any officer in making such draft, or in the performance of any service in relation thereto; or shall counsel any person to assault or obstruct any such officer, or shall counsel any drafted men not to appear at the place of rendezvous, or willfully dissuade them from the performance of military duty as required by law, such person shall be subject to summary arrest by the provost-marshal, and he shall be forthwith delivered to the civil authorities, and, upon conviction thereof, be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding two years, or by both of said punishments.

SEC. 26. *And be it further enacted*, That immediately after the passage of this act, the President shall issue his proclamation declaring that all soldiers now absent from their regiment without leave may return within a time specified to such place or places as he may indicate in his proclamation and be restored to their respective regiments without punishment, except the forfeiture of their pay and allowances during their absence; and all deserters who shall not return within the time so specified by the President shall, upon being arrested, be punished as the law provides.

SEC. 27. *And be it further enacted*, That depositions of witnesses residing beyond the limits of the State, Territory, or district in which military courts shall be ordered to sit may be taken in cases not capital by either party and read in evidence; provided the same shall be taken upon reasonable notice to the opposite party and duly authenticated.

SEC. 28. *And be it further enacted*, That the judge-advocate shall have power to appoint a reporter, whose duty it shall be to record the proceedings of and testimony taken before military courts instead of the judge-advocate; and such reporter may take down such proceedings and testimony in the first instance in shorthand. The reporter shall be sworn or affirmed faithfully to perform his duty before entering upon it.

SEC. 29. *And be it further enacted*, That the court shall, for reasonable cause, grant a continuance to either party for such time and as often as shall appear to be just: *Provided*, That if the prisoner be in close confinement, the trial shall not be delayed for a period longer than sixty days.

SEC. 30. *And be it further enacted*, That in time of war, insurrection, or rebellion, murder, assault and battery with an intent to kill, manslaughter, mayhem, wounding by shooting or stabbing with an intent to commit murder, robbery, arson, burglary, rape, assault and battery with an intent to commit rape, and larceny shall be punishable by the sentence of a general court-martial or military commission, when committed by persons who are in the military service of the United States, and subject to the Articles of War; and the punishments for such offenses shall never be less than those inflicted by the laws of the State, Territory, or district in which they may have been committed.

SEC. 31. *And be it further enacted*, That any officer absent from duty with leave, except for sickness or wounds, shall, during his absence, receive half of the pay and allowances prescribed by law, and no more; and any officer absent without leave shall, in addition to the penalties prescribed by law or a court-martial forfeit all pay or allowances during such absence.

SEC. 32. *And be it further enacted*, That the commanders of regiments and of batteries in the field are hereby authorized and empowered to grant furloughs for a period not exceeding thirty days at any one time to five per centum of the non-commissioned officers and privates, for good conduct in the line of duty and subject to the approval of the commander of the forces of which such non-commissioned officers and privates form a part.

SEC. 33. *And be it further enacted*, That the President of the United States is hereby authorized and empowered, during the present rebellion, to call forth the national forces, by draft, in the manner provided for in this act.

SEC. 34. *And be it further enacted*, That all persons drafted under the provisions of this act shall be assigned by the President to military duty in such corps, regiments, or other branches of the service as the exigencies of the service may require.

SEC. 35. *And be it further enacted*, That hereafter details to special service shall only be made with the consent of the commanding officer of forces in the field; and enlisted men, now or hereafter detailed to special service, shall not receive any extra pay for such services beyond that allowed to other enlisted men.

SEC. 36. *And be it further enacted*, That general orders of the War Department, numbered one hundred and fifty-four and one hundred and sixty-two, in reference to enlistments from the volunteers into the regular service, be, and the same are hereby, rescinded; and hereafter no such enlistments shall be allowed.

SEC. 37. *And be it further enacted*, That the grades created in the cavalry forces of the United States by section eleven of the act approved seventeenth July, eighteen hundred and sixty-two, and for which no rate of compensation has been provided, shall be paid as follows, to wit: Regimental commissary the same as regimental quartermaster; chief trumpeter the same as chief bugler; saddler sergeant the same as regimental commissary-sergeant; company commissary-sergeant the same as company quartermaster's sergeant: *Provided*, That the grade of supernumerary second lieutenant, and two teamsters for each company, and one chief farrier and blacksmith for each regiment, as allowed by said section of that act, be, and they are hereby, abolished; and each cavalry company may have two trumpeters, to be paid as buglers; and each regiment shall have one veterinary surgeon, with the rank of a regimental sergeant-major, whose compensation shall be seventy-five dollars per month.

SEC. 38. *And be it further enacted*, That all persons who, in time of war or of rebellion against the supreme authority of the United States, shall be found lurking or acting as spies in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States, or elsewhere, shall be triable by a general court-martial or military commission, and shall, upon conviction, suffer death.

Approved March 3, 1863.

VII. PUBLIC—No. 57.

AN ACT to promote the efficiency of the Corps of Engineers and of the Ordnance Department, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Corps of Topographical Engineers, as a distinct branch of the Army, is hereby abolished, and from and after the passage of this act is merged into the Corps of Engineers, which shall have the following organization, viz: One chief engineer, with the rank, pay, and emoluments of a brigadier-general; four colonels; ten lieutenant-colonels; twenty majors; thirty captains; thirty first lieutenants, and ten second lieutenants.

SEC 2. *And be it further enacted*, That the general officer provided by the first section of this act shall be selected from the Corps of Engineers as therein established; and that officers of all lower grades shall take rank according to their respective dates of commission in the existing Corps of Engineers or Corps of Topographical Engineers.

SEC. 3. *And be it further enacted*, That no officer of the Corps of Engineers below the rank of a field officer shall hereafter be promoted to a higher grade before having passed a satisfactory examination before a board of three engineers senior to him in rank; and should the officer fail at said examination, shall be suspended *from* [for] one year, when he shall be re-examined, and upon a second failure shall be dropped by the President from the Army.

SEC. 4. *And be it further enacted*, That there shall be added to the Ordnance Department one lieutenant-colonel, two majors, eight captains, eight first lieutenants; the additional officers herein authorized to be appointed by promotion, so far as the present officers of the Ordnance Corps will permit, and the residue to be appointed by transfers from other regiments or corps of the Army: *Provided*, That no officer of the Ordnance Department below the rank of a field officer shall be promoted or commissioned to a higher grade, nor shall any officer of the Army be commissioned as an ordnance officer, until he shall have passed a satisfactory examination before a board of not less than three ordnance officers senior to him in rank; and should such officer fail on such examination, he shall be suspended from promotion or appointment for one year, when he may be re-examined before

a like board; and if upon such second examination an ordnance officer fail, he shall be dismissed from the service, and if an officer of the Army he shall not be commissioned.

SEC. 5. *And be it further enacted*, That section two of the act approved March three, eighteen hundred and forty-nine, entitled "An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States," shall be construed to include the steam-boats and other vessels, and "railroad engines and cars," in the property to be allowed and paid for when destroyed or lost under the circumstances provided for in said act.

SEC. 6. *And be it further enacted*, That all payments of advance bounty made to enlisted men who have been discharged before serving out the term required by law for its payment in full, shall be allowed in the settlement of the accounts of paymasters at the Treasury, but hereafter, in all such cases, the amount so advanced shall be charged against the enlisted men, unless the discharge be upon surgeon's certificate for wounds received or sickness incurred since their last enlistment.

SEC. 7. *And be it further enacted*, That upon any requisition hereafter being made by the President of the United States for militia, any person who shall have volunteered or been drafted for the service of the United States for the term of nine months, or a shorter period, may enlist into a regiment from the same State to serve for the term of one year, and any person so enlisting shall be entitled to and receive a bounty of fifty dollars, to be paid in time and manner provided by the act of July twenty-second, eighteen hundred and sixty-one, for the payment of the bounty provided for by that act.

SEC. 8. *And be it further enacted*, That the officers of the Medical Department shall unite with the line officers of the Army under such rules and regulations as shall be prescribed by the Secretary of War in supervising the cooking within the same, as an important sanitary measure, and that said Medical Department shall promulgate to its officers such regulations and instructions as may tend to insure the proper preparation of the ration of the soldier.

SEC. 9. *And be it further enacted*, That cooks shall be detailed, in turn, from the privates of each company of troops in the service of the United States, at the rate of one cook for each company numbering less than thirty men, and two cooks for each company numbering over thirty men, who shall serve ten days each.

SEC. 10. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to cause to be enlisted, for each cook, two under cooks of African descent, who shall receive for their full compensation ten dollars per month and one ration per day—three dollars of said monthly pay may be in clothing.

SEC. 11. *And be it further enacted*, That the army ration shall hereafter include pepper, in the proportion of four ounces to every hundred rations.

SEC. 12. *And be it further enacted*, That the increase of rank of officers, and in the number of officers provided for in this act, shall continue only during the existence of the present rebellion; and thereafter the several officers promoted under this act shall have the respective rank they would have had if this act had not passed, and the number shall be reduced by the President to the number authorized by law prior to the passage of this act.

Approved March 3, 1863.

VIII. PUBLIC—No. 58.

AN ACT making appropriations for sundry civil expenses of the Government for the year ending June thirty, eighteen hundred and sixty-four, and for the year ending the thirtieth of June, eighteen hundred and sixty-three, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending the thirtieth June, eighteen hundred and sixty-four, viz:

* * * * * * *

SEC. 17. *And be it further enacted*, That the Signal Corps of the Army shall, during the present rebellion, be organized as follows: There shall be one chief signal officer, a colonel, who shall be signal officer of the Army; one lieutenant-colonel; two majors, who shall be inspectors; and for each army corps or military department there shall be one captain, and as many lieutenants, not exceeding eight, as the President may deem necessary, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive the pay and emoluments of cavalry officers of similar grades; and for each officer of the Signal

Corps there may be enlisted or detailed one sergeant and six privates, who shall receive the pay of similar grades of engineer soldiers: *Provided*, That no officer or enlisted man shall be allowed to serve in the Signal Corps until he shall have been examined and approved by a military board, to be convened for that purpose by the Secretary of War.

SEC. 18. *And be it further enacted*, That the officers and enlisted men herein provided for shall be subject to the Rules and Articles of War. They may be mounted upon horses, the property of the United States, and shall serve in any military department, or with any forces to which they may be ordered. And officers of the Army who may be appointed in this corps may, after the rebellion, be restored to their respective regiments or corps, and receive the same rank and promotion as if they had continued to serve therein.

SEC. 19. *And be it further enacted*, That there shall be appointed in the office of the signal officer two clerks of class two. And in selecting officers and men for the organization of the Signal Corps, as herein provided, preference shall be given to such as have served faithfully, or as are now serving in the acting signal corps of the army.

SEC. 20. *And be it further enacted*, That, in order to allow time for their thorough examination, the President may appoint the officers authorized by this act during the recess of Congress; which appointments shall be submitted to the Senate at their next session for their advice and consent.

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SEC. 25. *And be it further enacted*, That every judge-advocate of a court-martial or court of inquiry, hereafter to be constituted, shall have power to issue the like process to compel witnesses to appear and testify, which courts of criminal jurisdiction within the State, Territory, or district where such military courts shall be ordered to sit may lawfully issue.

Approved March 3, 1863.

IX. PUBLIC RESOLUTION—No. 14.

A RESOLUTION to facilitate the payment of sick and wounded soldiers in the hospitals and convalescent camps.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Paymaster-General be, and he hereby is, authorized and directed to take immediate measures for the prompt payment of the sick and wounded soldiers in the convalescent camps, hospitals, and elsewhere, so that they may be fully paid within sixty days from and after the passage hereof.

Approved March 3, 1863.

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XI. PUBLIC—No. 60.

AN ACT relating to habeas corpus, and regulating judicial proceedings in certain cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, during the present rebellion, the President of the United States, whenever, in his judgment, the public safety may require it, is authorized to suspend the privilege of the writ of habeas corpus in any case throughout the United States, or any part thereof. And whenever and wherever the said privilege shall be suspended, as aforesaid, no military or other officer shall be compelled, in answer to any writ of habeas corpus, to return the body of any person or persons detained by him by authority of the President; but upon the certificate, under oath, of the officer having charge of any one so detained, that such person is detained by him as a prisoner, under authority of the President, further proceedings under the writ of habeas corpus shall be suspended by the judge or court having issued the said writ so long as said suspension by the President shall remain in force and said rebellion continue.

SEC. 2. *And be it further enacted*, That the Secretary of State and the Secretary of War be, and they are hereby, directed, as soon as may be practicable, to furnish to the judges of the circuit and district courts of the United States and of the District of Columbia a list of the names of all persons, citizens of States in which the administration of the laws has continued unimpaired in the said Federal courts, who are now or may hereafter be, held as prisoners of the United States, by order or authority of the President of the United States, or either of said Secretaries, in any fort, arsenal, or other place, as State or political prisoners, or otherwise than

as prisoners of war; the said list to contain the names of all those who reside in the respective jurisdictions of said judges, or who may be deemed by the said Secretaries, or either of them, to have violated any law of the United States in any of said jurisdictions, and also the date of each arrest; the Secretary of State to furnish a list of such persons as are imprisoned by the order or authority of the President, acting through the State Department, and the Secretary of War a list of such as are imprisoned by the order or authority of the President, acting through the Department of War. And in all cases where a grand jury, having attended any of said courts having jurisdiction in the premises, after the passage of this act, and after the furnishing of said list, as aforesaid, has terminated its session without finding an indictment, or presentment, or other proceeding against any such person, it shall be the duty of the judge of said court forthwith to make an order that any such prisoner desiring a discharge from said imprisonment be brought before him to be discharged; and every officer of the United States having custody of such prisoner is hereby directed immediately to obey and execute said judge's order; and in case he shall delay or refuse so to do, he shall be subject to indictment for a misdemeanor, and be punished by a fine of not less than five hundred dollars and imprisonment in the common jail for a period not less than six months, in the discretion of the court: *Provided, however*, That no person shall be discharged by virtue of the provisions of this act until after he or she shall have taken an oath of allegiance to the Government of the United States, and to support the Constitution thereof; and that he or she will not hereafter in any way encourage or give aid and comfort to the present rebellion or the supporters thereof: *And provided, also*, That the judge or court before whom such person may be brought, before discharging him or her from imprisonment, shall have power, on examination of the case, and, if the public safety shall require it, shall be required to cause him or her to enter into recognizance, with or without surety, in a sum to be fixed by said judge or court, to keep the peace and be of good behavior toward the United States and its citizens, and from time to time, and at such times as such judge or court may direct, appear before said judge or court to be further dealt with, according to law, as the circumstances may require. And it shall be the duty of the district attorney of the United States to attend to such examination before the judge.

SEC. 3. *And be it further enacted*, That in case any of such prisoners shall be under indictment or presentment for any offense against the laws of the United States, and by existing laws bail or a recognizance may be taken for the appearance for trial of such person, it shall be the duty of said judge at once to discharge such person upon bail or recognizance for trial as aforesaid. And in case the said Secretaries of State and War shall for any reason refuse or omit to furnish the said list of persons held as prisoners as aforesaid at the time of the passage of this act within twenty days thereafter, and of such persons as hereafter may be arrested within twenty days from the time of the arrest, any citizen may, after a grand jury shall have terminated its session without finding an indictment or presentment, as provided in the second section of this act, by a petition alleging the facts aforesaid touching any of the persons so as aforesaid imprisoned, supported by the oath of such petitioner or any other credible person, obtain and be entitled to have the said judge's order to discharge such prisoner on the same terms and conditions prescribed in the second section of this act: *Provided, however*, That the said judge shall be satisfied such allegations are true.

SEC. 4. *And be it further enacted*, That any order of the President, or under his authority, made at any time during the existence of the present rebellion, shall be a defense in all courts to any action or prosecution, civil or criminal, pending, or to be commenced, for any search, seizure, arrest, or imprisonment, made, done, or committed, or acts omitted to be done, under and by virtue of such order, or under color of any law of Congress; and such defense may be made by special plea, or under the general issue.

SEC. 5. *And be it further enacted*, That if any suit or prosecution, civil or criminal, has been or shall be commenced in any State court against any officer civil or military, or against any other person, for any arrest or imprisonment made, or other trespasses or wrongs done or committed, or any act omitted to be done, at any time during the present rebellion, by virtue or under color of any authority derived from or exercised by or under the President of the United States, or any act of Congress, and the defendant shall, at the time of entering his appearance in such court, or if such appearance shall have been entered before the passage of this act, then at the next session of the court in which such suit or prosecution is pending, file a petition, stating the facts and verified by affidavit, for the removal of the cause for trial at the next circuit court of the United States to be holden in the district where the suit is pending, and offer good and sufficient surety for his filing in such court, on the first day of its session, copies of such process and other

proceedings against him, and also for his appearing in such court and entering special bail in the cause, if special bail was originally required therein, it shall then be the duty of the State court to accept the surety and proceed no further in the cause or prosecution, and the bail that shall have been originally taken shall be discharged. And such copies being filed as aforesaid in such court of the United States, the cause shall proceed therein in the same manner as if it had been brought in said court by original process, whatever may be the amount in dispute or the damages claimed, or whatever the citizenship of the parties, any former law to the contrary notwithstanding. And any attachment of the goods or estate of the defendant by the original process shall hold the goods or estate so attached to answer the final judgment in the same manner as by the laws of such State they would have been holden to answer final judgment had it been rendered in the court in which the suit or prosecution was commenced. And it shall be lawful in any such action or prosecution which may be now pending, or hereafter commenced, before any State court whatever, for any cause aforesaid, after final judgment, for either party to remove and transfer, by appeal, such case during the session or term of said court at which the same shall have taken place, from such court to the next circuit court of the United States to be held in the district in which such appeal shall be taken, in manner aforesaid. And it shall be the duty of the person taking such appeal to produce and file in the said circuit court attested copies of the process, proceedings, and judgment in such cause; and it shall also be competent for either party, within six months after the rendition of a judgment in any such cause, by writ of error or other process, to remove the same to the circuit court of the United States of that district in which such judgment shall have been rendered; and the said circuit court shall thereupon proceed to try and determine the facts and the law in such action, in the same manner as if the same had been there originally commenced, the judgment in such case notwithstanding. And any bail which may have been taken, or property attached, shall be holden on the final judgment of the said circuit court in such action, in the same manner as if no such removal and transfer had been made, as aforesaid. And the State court, from which any such action, civil or criminal, may be removed and transferred as aforesaid, upon the parties giving good and sufficient security for the prosecution thereof, shall allow the same to be removed and transferred, and proceed no further in the case: *Provided, however*, That if the party aforesaid shall fail duly to enter the removal and transfer, as aforesaid, in the circuit court of the United States, agreeably to this act, the State court, by which judgment shall have been rendered, and from which the transfer and removal shall have been made, as aforesaid, shall be authorized, on motion for that purpose, to issue execution, and to carry into effect any such judgment, the same as if no such removal and transfer had been made. *And provided also*, That no such appeal or writ of error shall be allowed in any criminal action or prosecution where final judgment shall have been rendered in favor of the defendant or respondent by the State court. And if in any suit hereafter commenced, the plaintiff is nonsuited or judgment pass against him, the defendant shall recover double costs.

SEC. 6. *And be it further enacted*, That any suit or prosecution described in this act, in which final judgment may be rendered in the circuit court, may be carried by writ of error to the Supreme Court, whatever may be the amount of said judgment.

SEC. 7. *And be it further enacted*, That no suit or prosecution, civil or criminal, shall be maintained for any arrest or imprisonment made, or other trespasses or wrongs done or committed, or act omitted to be done, at any time during the present rebellion, by virtue or under color of any authority derived from or exercised by or under the President of the United States, or by or under any act of Congress, unless the same shall have been commenced within two years next after such arrest, imprisonment, trespass, or wrong may have been done or committed, or act may have been omitted to be done: *Provided*, That in no case shall the limitation herein provided commence to run until the passage of this act, so that no party shall, by virtue of this act, be debarred of his remedy by suit or prosecution until two years from and after the passage of this act.

Approved March 3, 1863.

XII. PUBLIC—No. 61.

AN ACT to authorize the brevetting of volunteer and other officers in the United States service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is, authorized, by and with the advice and consent of the Senate, to

confer brevet rank upon such commissioned officers of the volunteer and other forces in the United States service as have been, or may hereafter be, distinguished by gallant actions or meritorious conduct; which rank shall not entitle them to any increase of pay or emoluments.

Approved March 8, 1863.

XIII. PUBLIC—No. 62.

AN ACT for the relief of certain persons who have performed the duties of assistant surgeons in regiments of cavalry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That physicians and surgeons who have since the second day of July last been duly appointed and commissioned as second assistant surgeons in volunteer regiments of cavalry, and as such have been duly mustered into the military service of the United States, and actually performed the duties appertaining to that office, shall be paid therefor in like manner and upon like proof as other assistant surgeons of cavalry: *Provided*, That not more than two assistant surgeons to each regiment shall be allowed and paid for services performed at one and the same time.

Approved March 3, 1863.

XIV. PUBLIC—No. 63.

AN ACT to amend an act entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-two, eighteen hundred and sixty-one.—(*See General Orders, No. 49, of 1861.*)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every non-commissioned officer, private, or other person, who has been or shall hereafter be discharged from the Army of the United States within two years from the date of their enlistment, by reason of wounds received in battle, shall be entitled to receive the same bounty as is granted or may be granted to the same classes of persons who are discharged after a service of two years, and all acts and parts of acts inconsistent with this are hereby repealed.

Approved March 3, 1863.

XV. PUBLIC—No. 99.

AN ACT to provide for the collection of abandoned property and for the prevention of frauds in insurrectionary districts within the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the Secretary of the Treasury, from and after the passage of this act, as he shall from time to time see fit, to appoint a special agent or agents to receive and collect all abandoned or captured property in any State or Territory, or any portion of any State or Territory of the United States, designated as in insurrection against the lawful Government of the United States by the proclamation of the President of July first, eighteen hundred and sixty-two: *Provided*, That such property shall not include any kind or description which has been used, or which was intended to be used for waging or carrying on war against the United States, such as arms, ordnance, ships, steamboats, or other water craft, and the furniture, forage, military supplies, or munitions of war.

SEC. 2. *And be it further enacted*, That any part of the goods or property received or collected by such agent or agents may be appropriated to public use on due appraisement and certificate thereof, or forwarded to any place of sale within the loyal States, as the public interests may require; and all sales of such property shall be at auction to the highest bidder, and the proceeds thereof shall be paid into the Treasury of the United States.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury may require the special agents appointed under this act to give a bond, with such securities and in such amount as he shall deem necessary, and to require the increase of said amounts, and the strengthening of said security, as circumstances may demand; and he shall also cause a book or books of account to be kept, showing from whom such property was received, the cost of transportation, and proceeds of the sale thereof. And any person claiming to have been the owner of any such abandoned or captured property may, at any time within two years after the suppression of the rebellion, prefer his claim to the proceeds thereof in the Court of Claims; and on proof to the satisfaction of said court of his ownership of said property, of his right to the proceeds thereof, and that he has never

given any aid or comfort to the present rebellion, to receive the residue of such proceeds, after the deduction of any purchase money which may have been paid, together with the expense of transportation and sale of said property, and any other lawful expenses attending the disposition thereof.

SEC. 4. *And be it further enacted*, That all property coming into any of the United States not declared in insurrection as aforesaid, from within any of the States declared in insurrection, through or by any other person than any agent duly appointed under the provisions of this act, or under a lawful clearance by the proper officer of the Treasury Department, shall be confiscated to the use of the Government of the United States. And the proceedings for the condemnation and sale of any such property shall be instituted and conducted, under the direction of the Secretary of the Treasury, in the mode prescribed by the eighty-ninth and ninetieth sections of the act of March second, seventeen hundred and ninety-nine, entitled "An act to regulate the collection of duties on imports and tonnage." And any agent or agents, person or persons, by or through whom such property shall come within the lines of the United States unlawfully, as aforesaid, shall be judged guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not exceeding one thousand dollars, or imprisoned for any time not exceeding one year, or both, at the discretion of the court. And the fines, penalties, and forfeitures accruing under this act may be mitigated or remitted in the mode prescribed by the act of March three, seventeen hundred and ninety-seven, or in such manner, in special cases, as the Secretary of the Treasury may prescribe.

SEC. 5. *And be it further enacted*, That the fifth section of the "Act to further provide for the collection of the revenue upon the northern, northeastern, and northwestern frontier, and for other purposes," approved July fourteen, eighteen hundred and sixty-two, shall be so construed as to allow the temporary officers which have been or may be appointed at ports which have been or may be opened or established in States declared to be in insurrection by the proclamation of the President on the first of July, eighteen hundred and sixty-two, the same compensation which by law is allowed to permanent officers of the same position, or the ordinary compensation of special agents, as the Secretary of the Treasury may determine.

SEC. 6. *And be it further enacted*, That it shall be the duty of every officer or private of the regular or volunteer forces of the United States, or any officer, sailor, or marine in the naval service of the United States upon the inland waters of the United States, who may take or receive any such abandoned property, or cotton, sugar, rice, or tobacco, from persons in such insurrectionary districts, or have it under his control, to turn the same over to an agent appointed as aforesaid, who shall give a receipt therefor; and in case he shall refuse or neglect so to do, he shall be tried by a court-martial and shall be dismissed from the service, or, if an officer, reduced to the ranks, or suffer such other punishment as said court shall order, with the approval of the President of the United States.

SEC. 7. *And be it further enacted*, That none of the provisions of this act shall apply to any lawful maritime prize by the naval forces of the United States.

Approved March 12, 1863.

By order of the Secretary of War:

L. THOMAS,
Adjutant-General.

ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., March 24, 1863.

Brigadier-General ULLMANN,
Washington, D. C.:

GENERAL: By direction of the Secretary of War you are hereby authorized to raise a battalion (six companies) of Louisiana volunteer infantry, to be used for scouting purposes; to be recruited in that State, and to serve for three years or during the war. The said force will be organized as prescribed in paragraph 83, Mustering Regulations. The recruitment will be conducted in accordance with the rules of the service and the orders of the War Department, and by the said Department all appointments of officers will be made. All

musters will be made in accordance with the orders given in reference to the troops authorized by the instructions from this office of January 13, 1863.

I am, general, &c.,

THOS. M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, March 25, 1863.

Brig. Gen. L. THOMAS,
Adjutant-General U. S. Army:

GENERAL: The exigencies of the service require that an inspection should be made of the armies, military posts, and military operations in the West. You will therefore make arrangements immediately to perform that service. Without entering into any minute details I beg to direct your attention to the following subjects of investigation:

First. On arriving at Cairo you will make a careful examination of the military condition of that post in the various branches of service, and report to this Department the result of your investigation, suggesting whatever in your opinion the service may require. You will observe particularly the condition of that class of population known as contrabands—the manner in which they are received, provided for, and treated by the military authorities—and give such directions to the commissary and quartermaster's departments, and to the officers commanding, as shall in your judgment be necessary to secure to them humane and proper treatment in respect to food, clothing, compensation for their service, and whatever is necessary to enable them to support themselves and to furnish useful service in any capacity to the Government.

Second. You will make similar observation at Columbus, Memphis, and other posts in your progress to the headquarters of General Grant's army.

Third. The President desires that you should confer freely with Major-General Grant and the officers with whom you may have communication and explain to them the importance attached by the Government to the use of the colored population emancipated by the President's proclamation, and particularly for the organization of their labor and military strength. You will cause it to be understood that no officer in the U. S. service is regarded as in the discharge of his duties under the acts of Congress, the President's proclamation, and the orders of this Department, who fails to employ to the utmost extent the aid and co-operation of the loyal colored population in performing the labor incident to military operations, and also in performing the duties of soldiers under proper organization, and that any obstacle thrown in the way of these ends is regarded by the President as a violation of the acts of Congress and the declared purposes of the Government in using every means to bring the war to an end.

Fourth. You will ascertain what military officers are willing to take command of colored troops; ascertain their qualifications for that purpose, and if troops can be raised and organized you will, so far as can be done without prejudice to the service, relieve officers and privates from the service in which they are engaged, to receive commissions such as they may be qualified to exercise in the organization

of brigades, regiments, and companies of colored troops. You are authorized in this connection to issue in the name of this Department letters of appointment for field and company officers, and to organize such troops for military service to the utmost extent to which they can be obtained in accordance with the rules and regulations of the service. You will see, moreover, and expressly enjoin upon the various staff departments of the service, that such troops are to be provided with supplies upon the requisition of the proper officers, and in the same manner as other troops in the service.

Fifth. You will communicate as frequently as possible by mail and telegraph with this Department in detail (in cipher when necessary) the existing state of things that you may find at the time of your arrival there, with such information as you may deem proper to be communicated by such channels, having due regard to the paramount necessity of avoiding premature disclosure of military operations to which such communications are incident.

Sixth. This Department has been informed that the practice has prevailed to a considerable extent of using transports for the quarters of officers and soldiers, so that the transport service is at this moment reported to be seriously embarrassed and crippled from this cause. You will immediately take measures to have this abuse at once corrected. You will require immediately every transport to be relieved from any such incumbrance, and devoted exclusively in future to the transport service. You will report to this Department any cases of delinquency which in your judgment require the action of the Department.

Seventh. Any information you may obtain in respect to the dealing or traffic by officers of the service, or under their authority, in cotton or other articles of commerce or merchandise, you will report to the Department, and also to the Court of Inquiry at Saint Louis, of which General McDowell is president, and also in reference to the use of any transports either by railroads, boats, or wagons, or otherwise, belonging to the Government, for private purposes, and also cause such orders to be given by the commanding general as shall put an end to such abuse.

Eighth. Besides the points enumerated, you are authorized to direct your investigation to any other subjects material to the service.

Ninth. Any power not embraced in the foregoing points you will apply for to the Department, in order to enable you in the fullest manner to perform the important duty now intrusted to you.

Very respectfully, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington City, D. C., March 25, 1863.

INSTRUCTIONS TO MAJ. GEN. N. P. BANKS.

It is the desire of the Department that a large military force from the colored population of Louisiana should be raised immediately, and General Ullmann has been intrusted with authority for that purpose and directed to report to you. You will afford him every facility the circumstances will admit for that purpose, the forces raised by him to be under your command. Volunteers are to be allowed to come in from the plantations and from whatever source who may be

fit for service, and any orders conflicting with this are to be revoked. The force thus raised will be furnished with quartermaster's, commissary, and ordnance supplies, as is the case with volunteers. A copy of the authority given by General Ullmann is hereby annexed.

EDWIN M. STANTON,
Secretary of War.

[Inclosure.]

WAR DEPARTMENT,
Washington City, D. C., March 25, 1863.

INSTRUCTIONS TO GENERAL ULLMANN.

First. You will with all dispatch complete your preparation, and so soon as transportation is provided to New Orleans, and report to General Banks.

Second. You will establish, subject to the approval of the commanding general, your headquarters at Baton Rouge, and proceed to fill up your command with colored troops as rapidly as possible, reporting to this Department by every steamer the progress that you are making. It is expected that within thirty days after your arrival at New Orleans you will have your brigade filled up.

Third. When prepared, you will report for duty to Major-General Banks, under whose command you will perform such duties as may be assigned to you.

EDWIN M. STANTON,
Secretary of War.

WASHINGTON, *March 25, 1863.*

Maj. Gen. N. P. BANKS,
New Orleans:

GENERAL: I inclose herewith a copy of instructions given this day to Brigadier-General Ullmann, to organize a brigade of colored troops in Louisiana.

I am directed by the Secretary of War to say that it is the desire of the War Department that you will afford Brigadier-General Ullmann and his officers every facility the circumstances will admit for immediately filling up his brigade. Volunteers will be allowed to come in from the plantations, and from every other source, who are fit for service, and any orders conflicting with this will be revoked. The troops thus raised will be supplied with quartermaster's, commissary, and ordnance stores, the same as other volunteers. And you will assign these troops to such duty as you may deem them best suited to perform.

Very respectfully, your obedient servant,

H. W. HALLECK,
General-in-Chief.

[Inclosure.]

WASHINGTON, *March 25, 1863.*

Brigadier-General ULLMANN,
Washington:

GENERAL: I am directed by the Secretary of War to give you the following instructions:

First. As soon as transportation is furnished, you will immediately proceed with the persons under your command to New Orleans and

report to Major-General Banks or the general commanding the Department of the Gulf.

Second. The headquarters of your brigade will be established at Baton Rouge or such other point as General Banks may designate, and recruiting depots at other places, so as to fill up the brigade with colored troops as rapidly as possible. It is hoped that within thirty days from your arrival at New Orleans you will have your brigade filled up and ready for such duty as General Banks may direct.

Third. You will report to the Adjutant-General of the Army by every steamer the progress made in filling up your brigade.

Very respectfully, your obedient servant,

H. W. HALLECK,
General-in-Chief.

MADISON, WIS., *March 25, 1863—12 m.*
(Received 5.45 p. m.)

Hon. EDWIN M. STANTON:

The supreme court has just decided unanimously the draft of last fall to be valid, and has denied the writ of habeas corpus.

T. O. HOWE.

PRIVATE.] EXECUTIVE MANSION,
Washington, March 26, 1863.

Hon. ANDREW JOHNSON:

MY DEAR SIR: I am told you have at least thought of raising a negro military force. In my opinion the country now needs no specific thing so much as some man of your ability and position to go to this work. When I speak of your position, I mean that of an eminent citizen of a slave State, and himself a slave-holder. The colored population is the great available, and yet unavailed of, force for restoring the Union. The bare sight of 50,000 armed and drilled black soldiers upon the banks of the Mississippi would end the rebellion at once. And who doubts that we can present that sight if we but take hold in earnest? If you have been thinking of it, please do not dismiss the thought.

Yours, very truly,

A. LINCOLN.

WAR DEPARTMENT,
Washington City, March 26, 1863.

Hon. T. O. HOWE, U. S. Senate,
Madison, Wis.:

I thank you with exceeding great joy for your telegram of the 25th, just received. It will do much to correct the evil occasioned by the action of your supreme court last fall. Accounts from all parts of the country show that the national spirit is growing stronger and stronger.

EDWIN M. STANTON.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, March 28, 1863.

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: I have the honor to ask your attention to the following suggestions in reference to the enrollment act of March 3, 1863:

First. After establishing a good general basis upon which to found a complete system of enrollment and draft and to apprehend deserters and spies, the force to carry it out is not provided, nor is there specific authority conferred on the Provost-Marshal-General to provide the means.

Second. There is no money specially appropriated for the purposes of the act.

In regard to the first point, it is recommended that a selected old regiment be ordered to the State capital, or some more central point, in each State in which there is not now a reliable military force available, and that these regiments be under the control of the Provost-Marshal-General. It is also recommended that a gradual system be adopted and commenced at once of supplying the provost-marshals with detachments of that class of soldiers who, being unfit for the field, though fit for light duty, are now discharged from the service.

It is absolutely necessary for the provost-marshals to have deputies, clerks, agents, and other employés, and it is recommended that the Provost-Marshal-General be empowered to appoint, or authorize the appointment of such of these persons as may be deemed necessary in each case and to fix the rate of their compensation. In regard to the second point above, that there is no money especially appropriated, it is recommended that the appropriation of ten millions for collecting, drilling, and organizing volunteers be transferred in whole or part to the Provost-Marshal-General's Department. This transfer it is thought would be entirely proper, as the enrollment and draft will in all probability take the place of collecting volunteers, and the object—getting new troops into the field—is the same in both cases. There is still a million of dollars left of the old appropriation for collecting and drilling volunteers, which will probably be enough to wind up that business.

Section 16 provides that "all expenses connected with the arrest and return of deserters to their regiments, or such other duties as the provost-marshal shall be called upon to perform, shall be paid from the appropriation for arresting deserters, under such regulations as the President of the United States shall prescribe." Part of these expenses will be incurred under the direction of the Provost-Marshal-General, and for the convenience of the Quartermaster's Department as well as of this Bureau, it is recommended that sums from this appropriation, as hereafter to be stated in special requisitions, be placed to the credit of the officer assigned to the duty of disbursement in this Bureau.

The law provides for the Provost-Marshal-General a separate bureau of the War Department. The organization of this Bureau has already been commenced, and it is recommended that the Provost-Marshal-General be authorized to employ as many clerks as may be found absolutely necessary and allow them the same rates of pay as allowed in the Adjutant-General's Department. By section 9 of the act, the board of enrollment is authorized to divide the district into sub-districts, not exceeding two, without the direction of the Secretary

of War. To effect the enrollment promptly and correctly, it is recommended that each ward in a city and each township (or certainly each county) form an enrolling sub-district. No rate of pay is fixed by law for the enrolling officers of sub-districts; it is recommended that they be allowed for the time actually employed a per diem not to exceed $4.

Section 13 provides that any drafted person may be discharged on payment of a sum to be fixed by the Secretary of War not to exceed $300. It is recommended that $300 be the sum fixed. The person to whom this money is to be paid must be named by the Secretary of War. The law, however, requires that this sum shall be fixed at a uniform rate by a general order made at the time of ordering a draft for any State or Territory; it cannot, therefore, be announced now.

The blank forms necessary in carrying out the enrollment act should be printed at once. There will be a great many required, and it will take the Public Printer too long to do the work. It is therefore recommended that they be printed elsewhere, under the direction of the Provost-Marshal-General. It is suggested that the Quartermaster-General be instructed to order the disbursing officers of his department to pay promptly the accounts for the apprehension of deserters, when presented in form and certified to by provost-marshals. Many men, particularly in large cities, will devote themselves to the arrest of deserters if the reward is prompt and certain. By section 32, commanders in the field are authorized to grant furloughs to five per centum of their men at a time. A general order should be published cautioning soldiers to preserve carefully about their persons the evidence that they are absent by authority, or they will be liable to arrest as deserters.

It is important that the War Department should have some control over the adjutants-general of the different States. It is therefore recommended that the adjutant-general of each State be appointed either provost-marshal or a member of the board for the district containing the State capital.

A partial code of rules for the government of provost-marshals and boards of enrollments has been drawn up and will be ready to submit to the Secretary as soon as his action is known on the point herein presented.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

[Indorsement.]

Approved by the Secretary of War, March 28, 1863, with the exception of the paragraph in regard to printing the blanks by private contract.

Provost-Marshal-General.

WAR DEPARTMENT,
Washington City, March 28, 1863.

A. JOHNSON,
Governor:

Ordered, That Brig. Gen. Andrew Johnson, Military Governor of Tennessee, be, and he is hereby, authorized to raise troops for the

United States service, to rendezvous at such place or places in Tennessee as may be designated by him or the Secretary of War, infantry, cavalry, and artillery to be organized according to the rules and regulations of the service; the number to be ten regiments of infantry, ten of cavalry, and ten batteries of artillery.

Second. Governor Johnson will nominate the officers, who will be commissioned by the Department. They will be mustered into the service of the United States by Governor Johnson. The troops will be enlisted for the term of three years or during the war.

Third. Quartermasters and commissaries will issue supplies to the troops so raised upon the requisition of General Johnson and wherever required by him.

Fourth. That Governor Johnson be also authorized to raise and muster into the service of the United States such force as he may deem adequate, not exceeding one brigade, for the purpose of a Governor's Guard, which force shall be under his exclusive orders, and not to be withdrawn from his service or otherwise employed without his consent.

EDWIN M. STANTON,
Secretary of War.

A PROCLAMATION.

Whereas, the Senate of the United States, devoutly recognizing the supreme authority and just government of Almighty God in all the affairs of men and of nations, has, by a resolution, requested the President to designate and set apart a day for national prayer and humiliation;

And whereas, it is the duty of nations as well as of men to own their dependence upon the overruling power of God, to confess their sins and transgressions in humble sorrow, yet with assured hope that genuine repentance will lead to mercy and pardon, and to recognize the sublime truth announced in the Holy Scriptures, and proven by all history, that those nations only are blessed whose God is the Lord;

And insomuch as we know that by His divine law nations, like individuals, are subjected to punishments and chastisements in this world, may we not justly fear that the awful calamity of civil war which now desolates the land may be but a punishment inflicted upon us for our presumptuous sins, to the needful end of our national reformation as a whole people? We have been the recipients of the choicest bounties of Heaven. We have been preserved these many years in peace and prosperity. We have grown in numbers, wealth, and power as no other nation has ever grown. But we have forgotten God. We have forgotten the gracious hand which preserved us in peace, and multiplied and enriched and strengthened us; and we have vainly imagined in the deceitfulness of our hearts that all these blessings were produced by some superior wisdom and virtue of our own. Intoxicated with unbroken success, we have become too self-sufficient to feel the necessity of redeeming and preserving grace—too proud to pray to the God that made us.

It behooves us, then, to humble ourselves before the offended Power, to confess our national sins, and to pray for clemency and forgiveness.

Now, therefore, in compliance with the request and fully concurring in the views of the Senate, I do, by this my proclamation, desig-

nate and set apart Thursday, the 30th day of April, 1863, as a day of national humiliation, fasting, and prayer. And I do hereby request all the people to abstain on that day from their ordinary secular pursuits, and to unite at their several places of public worship and their respective homes in keeping the day holy to the Lord and devoted to the humble discharge of the religious duties proper to that solemn occasion.

All this being done in sincerity and truth, let us then rest humbly in the hope authorized by the divine teachings, that the united cry of the nation will be heard on high and answered with blessings no less than the pardon of our national sins and the restoration of our now divided and suffering country to its former happy condition of unity and peace.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this 30th day of March, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States the eighty-seventh.

[L. S.] ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

GENERAL ORDERS, No. 80. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, March 31, 1863.*

It is hereby ordered that all surgeons and assistant surgeons belonging to regiments, who are absent on any other than regimental duty, shall without delay rejoin their regiments. Medical officers of regiments will not hereafter be detached upon other service, except temporarily in cases of necessity, or where the surgeon and two assistant surgeons are present, when one of the assistants may be detached to hospital duty.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

ORDNANCE OFFICE,
Washington, March 31, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: In compliance with the acts of April 21, 1808, and March 3, 1809, I have the honor to transmit herewith statements of the contracts and purchases made by this office during the year 1862.

Respectfully, &c.,

JAS. W. RIPLEY,
Brigadier-General, Chief of Ordnance.

RECAPITULATION.

Purchases made by the Ordnance Department during the year 1862.

Ordnance, &c.	Number.	Weight.	Amount.
Cast-iron cannon and mortars	247	2,490,688	$200,162.87
Parrott rifled cannon	344	1,553,668	210,073.75
Bronze cannon and howitzers	832	856,396	404,562.63
Wrought-iron and steel cannon	584	417,212	246,852.40
Cannon of all kinds	2,007	5,317,964	1,061,651.65
Cannon-balls and shells for smooth-bore ordnance	541,214	23,229,441	764,752.21
Parrott projectiles for rifle cannon	270,699	4,670,723	436,263.03
Hotchkiss projectiles for rifle cannon	203,888	2,115,962	282,245.69
Schenkl projectiles for rifle cannon	106,115	1,234,619	265,313.96
Other kinds of projectiles for rifle cannon	242,297	4,161,159	360,756.57
Projectiles of all kinds	1,366,213	35,411,904	2,109,333.36
Field artillery carriages	2,210	.....	867,148.87
Iron sea-coast carriages	39	.....	22,435.20
Mortar beds and boat carriages	89	.....	55,288.46
Wrought-iron chassis rails	800	.....	41,761.06
	.....	.....	986,633.59
Muskets and rifles	784,596	.....	10,626,121.60
Carbines	47,863	.....	1,332,441.54
Pistols	120,761	.....	2,143,102.00
Swords and sabers	195,958	.....	1,084,978.54
Small-arms of all kinds	1,099,178	.....	15,186,643.68
Sets of infantry accouterments	649,059	.....	.....
Sets of cavalry accouterments	114,045	.....	.....
Sets of horse equipments	73,202	.....	.....
Sets of artillery harness for one horse	9,782	.....	.....
Sets of accouterments, equipments, and harness	846,088	.....	6,105,353.30
Pounds of gunpowder	6,765,395	.....	6,505,809.53
Pounds of saltpeter	5,990,052	.....	
Pounds of pig-lead	38,351,685	.....	
Pounds of lead bullets	9,993,034	.....	
Cartridges for small-arms	48,856,530	.....	
Percussion caps	559,981,980	.....	
Rounds of artillery ammunition	95,215	.....	297,524.39
Yards of cartridge cloth	461,516	.....	
Pounds of cartridge paper	482,671	.....	
Signal rockets and lights	5,800	.....	
Miscellaneous articles and services	.....	.....	73,451.82
Total amount	.....	.....	32,326,401.22

EXPLANATORY NOTE.—The prices stated are for the articles alone; but the amount paid includes the cost of packing-boxes, drayage, and other incidental expenses. In cases where the amount paid appears to be less than would be due for the number of articles at the prices stated, deductions were made for component parts which had been supplied from the arsenals, or for overpayments previously made at higher prices than were finally allowed on settlement.

ORDNANCE OFFICE, *March 31, 1863.*

[MARCH 31, 1863.—For Halleck to Grant, relating to policy of the Government in regard to negroes, &c., see Series I, Vol. XXIV, Part III, p. 156.]

WAR DEPARTMENT,
Washington, D. C., March 31, 1863.

Capt. J. A. POTTER,
Assistant Quartermaster, Chicago, Ill.:

The authority to raise four regiments of infantry and one of cavalry as State or home guards in Illinois countermanded.

By order of the Secretary of War:

W. SCOTT KETCHUM,
Brigadier-General and Assistant Inspector-General.

(Same to Lieut. G. W. Hill, Springfield, Ill.)

GENERAL ORDERS, No. 82. } WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, April 1, 1863.

There will be made on the 10th of April, or as soon thereafter as practicable, a general muster of all the troops in the service of the United States, wheresoever they may be. The muster-rolls will be immediately sent to the Adjutant-General of the Army, for the use of the Provost-Marshal-General in making drafts to fill up regiments and batteries to the proper complements.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

SPRINGFIELD, ILL., *April 1, 1863.*

Hon. E. M. STANTON,
Secretary of War:

SIR: If credit is given Illinois for excess furnished under all calls our quota under new calls to be filled by conscription would be comparatively small. There are now no available troops in the State. All those to be relieved from guarding prisoners of war are required by General Burnside in Kentucky, and I insist that there is greater need for a force in the State for purposes contemplated by your order of 9th of February than at any time since commencement of the rebellion. Three regiments, one of cavalry and two of infantry, are now nearly full and ready for organization. I believe the authority of the Government cannot be enforced in arresting deserters and keeping down insurrection without force of this character, and urge you to continue the order at least as to those three regiments now nearly raised.

Respectfully, your obedient servant,

RICHARD YATES,
Governor.

COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT,
Boston, April 1, 1863.

Hon. EDWIN M. STANTON,
Secretary of War, Washington, D. C.:

SIR: I avail myself of the visit of my secretary, Lieutenant-Colonel Browne, to suggest the idea of the detailment of some able, brave,

tried, and believing man as a brigadier to undertake in North Carolina the organization of the colored troops, selecting officers therefor as did General Ullmann for Louisiana. I have information leading me to the belief that with the proper man to lead the movement good troops can be raised in North Carolina in numbers from 2,500 to 5,000 now within General Foster's lines. But it needs a man always for the soul of any movement—even to trundle a wheelbarrow—and the right man is the main point. My own undertaking to raise a colored regiment in Massachusetts was begun upon talking with you about North Carolina and the difficulty of attracting negroes to join white troops, while it would be comparatively easy to gain large numbers to join an army in part already composed of black troops. I suggest that if you could send some colored troops down there the result would shortly be a general attraction of the blacks to our Army unless the business of dealing with those people should be badly managed; and, if you are prepared to have it done, I believe the work is already ripe. When our regiment gets there it will be the nest egg of a brigade. The officers of the Forty-fourth and Forty-fifth Massachusetts, now there, will render every aid in their power. So will many others. I learn that General Foster is now looking with a kind eye on black troops. In truth, I believe within four months the idea of thus organizing colored men will be most popular throughout the North. Meanwhile, I am desirous of doing what I can to bring it before the public mind by doing the thing which men are discussing. There is little chance of opposition after a thing is accomplished and seems to be good.

I wish to assure you, though I can't think it necessary, that I am influenced by no merely State policy—that is, in a local sense—in raising colored regiments here. The truth is that unless we do it in Massachusetts it cannot be expected elsewhere, while if we do it others will ultimately and indeed soon follow. Thus, then, Massachusetts can help by deed and example the ripening of Northern public sentiment and at the same time can help the Department to some black troops thoroughly organized for others to rally around. If nobody else will take black men I will, with your consent; and if the United States Government is not prepared to organize a brigade in North Carolina I would gladly take those black men who may choose to come here, receive our State bounty, and be mustered in. But I prefer to see the work going on in the South itself, if the Department will order the work to be done and direct its organization. Brig. Gen. Frank Barlow, of New York, would be a very good officer to detail for such a purpose in North Carolina, or if the President would permit me to name an officer I could find a colonel by selecting one of several whom I know, to whom a vacant brigadiership might be assigned, better fitted for such an enterprise—having regard to the proper combination of intellectual and moral qualities with military experience—than any brigadier with whom I am personally familiar now in the service.

I have the honor to be, faithfully, your obedient servant,

JOHN A. ANDREW,
Governor of Massachusetts.

P. S.—However, our Fifty-fourth is being raised and officered for active not for fatigue duty, and unless active operations of a brilliant sort are contemplated in North Carolina, in which they, as a portion of the troops in that command, could be allowed to engage, then I pray you to send the Fifty-fourth to South Carolina, where, under General Hunter, negro troops will be appreciated and allowed a place in onward and honorable movements of active war.

The officers and men are both very carefully picked. We have aimed at getting officers of high character, making careful selections out of many candidates. The men are selected just as regulars would be chosen by the most careful recruiting officer.

Out of 450 now in camp there are but two in hospital. One hundred more men are awaiting inspection by the surgeon, when they also will go to camp.

Captain Collins, Fourth U. S. Infantry, who is chief mustering and disbursing officer in Massachusetts, remarked this morning that these black troops are the best lot of men whom he has seen in any regiment during his nine months' experience in Massachusetts.

A PROCLAMATION.

Whereas, in pursuance of the act of Congress, approved July 13, 1861, I did, by proclamation dated August 16, 1861, declare that the inhabitants of the States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas, Mississippi, and Florida (except the inhabitants of that part of Virginia lying west of the Alleghany Mountains and of such other parts of that State and the other States hereinbefore named as might maintain a legal adhesion to the Union and the Constitution, or might be from time to time occupied and controlled by forces of the United States engaged in the dispersion of said insurgents) were in a state of insurrection against the United States, and that all commercial intercourse between the same and the inhabitants thereof, with the exceptions aforesaid, and the citizens of other States and other parts of the United States was unlawful, and would remain unlawful until such insurrection should cease or be suppressed, and that all goods and chattels, wares, and merchandise coming from any of said States, with the exceptions aforesaid, into other parts of the United States without the license and permission of the President through the Secretary of the Treasury, or proceeding to any of said States, with the exceptions aforesaid, by land or water, together with the vessel or vehicle conveying the same to or from said States, with the exceptions aforesaid, would be forfeited to the United States;

And whereas, experience has shown that the exceptions made in and by said proclamation embarrass the due enforcement of said act of July 13, 1861, and the proper regulation of the commercial intercourse authorized by said act with the loyal citizens of said States;

Now, therefore, I, Abraham Lincoln, President of the United States, do hereby revoke the said exceptions, and declare that the inhabitants of the States of Georgia, South Carolina, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas, Mississippi, Florida, and Virginia (except the forty-eight counties of Virginia designated as West Virginia, and except, also, the ports of New Orleans, Key West, Port Royal, and Beaufort in North Carolina) are in a state of insurrection against the United States, and that all commercial intercourse not licensed and conducted as provided in said act between the said States and the inhabitants thereof, with the exceptions aforesaid, and the citizens of other States and other parts of the United States, is unlawful, and will remain unlawful until such insurrection shall cease or has been suppressed and notice thereof has been duly given by proclamation; and all cotton, tobacco, and other products, and all other goods and chattels, wares and merchandise, coming from any of said

States, with the exceptions aforesaid, into other parts of the United States, or proceeding to any of said States, with the exceptions aforesaid, without the license and permission of the President, through the Secretary of the Treasury, will, together with the vessel or vehicle conveying the same, be forfeited to the United States.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this 2d day of April, A. D. 1863, and of the Independence of the United States of America the eighty-seventh.

[L. S.] ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

GENERAL ORDERS, No. 85. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, April 2, 1863.*

The following is an extract from the "Act for enrolling and calling out the national forces, and for other purposes," approved March 3, 1863.*

In addition to the benefits as set forth in the foregoing, it is hereby ordered that each soldier now in service who may re-enlist as therein provided shall be allowed a furlough for thirty days, the same to be granted immediately after his re-enlistment.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 86. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, April 2, 1863.*

I. Under the authority contained in sections 19 and 20 of the act "for enrolling and calling out the national forces, and for other purposes," approved March 3, 1863, it is ordered that for each and every regiment of the volunteer army now reduced, or that may be reduced hereafter, as set forth in said sections, consolidation shall be made in accordance with the following rules:

INFANTRY.

1. Each regiment will be consolidated into five or a less number of companies, and the colonel, major, and one assistant surgeon mustered out.

CAVALRY.

2. Each regiment will be consolidated into six or a less number of companies, and the colonel, two majors, and one assistant surgeon mustered out.

ARTILLERY.

3. Each regiment will be consolidated into six or a less number of batteries, and the colonel, two majors, and one assistant surgeon mustered out.

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*See Sec. 18, published in General Orders, No. 78, March 24, p. 91.

4. The companies and batteries formed by consolidation will be of the maximum strength, and will be organized as now directed by law and regulation. The first letters of the alphabet will be used to designate the companies.

5. The company officers—commissioned and non-commissioned—rendered supernumerary, with those enumerated in the foregoing, will be mustered out of service at the date of consolidation. All other officers and non-commissioned officers will be retained.

6. The officers to be retained will be selected by the division and corps commanders, under the instructions of the commanding general of the army or department, from among the most efficient officers of the respective regiments.

II. After the consolidations, as herein directed, the reduced proportion of officers will be maintained, and no appointments to vacancies will be made, except upon notification from the Adjutant-General of the Army. To this end, commanders of armies and departments will report, weekly, to the Adjutant-General, the vacancies to be filled. The said reports will be separate for each State, and must embrace the name, rank, and regiment of the party creating the vacancy, with date and cause thereof. If an order has issued in the case, its number, date, and source must be given.

Commissaries and assistant commissaries of musters will closely observe this paragraph, and make no musters in excess of the proportion herein fixed.

III. The following are the sections of the act referred to, and under which the foregoing is ordered:

SEC. 19. *And be it further enacted*, That whenever a regiment of volunteers of the same arm, from the same State, is reduced to one-half the maximum number prescribed by law, the President may direct the consolidation of the companies of such regiment: *Provided*, That no company so formed shall exceed the maximum number prescribed by law. When such consolidation is made the regimental officers shall be reduced in proportion to the reduction in the number of companies.

SEC. 20. *And be it further enacted*, That whenever a regiment is reduced below the minimum number allowed by law, no officers shall be appointed in such regiment beyond those necessary for the command of such reduced number.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, April 2, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I have the honor to submit the following recommendations, viz:

First. That a field officer, from those now in service, be detailed to act as assistant provost-marshal-general for each of the large States, and that he be stationed at the State capital and authorized to act in all ordinary affairs for and in the name of the Provost-Marshal-General. There are several reasons why this is necessary, but I will not take the Secretary's time in presenting them unless he desires it.

Each of these assistant provost-marshals-general should have two or three inspectors detailed from the list of officers disabled for active field service.

Second. That Simeon Draper, esq., be assigned as assistant provost-marshal-general for the district in and immediately adjoining the city of New York; that he may have the necessary rank to control the district provost-marshals (who will be captains), it may be necessary (if he will accept it for the purpose) to appoint him assistant adjutant-general of volunteers, with the rank of major.

Third. I propose the following organization of my Bureau, and request that as many more officers as are necessary to complete it may be detailed on my application in each case if they can be spared from other less important duties.

ORGANIZATION.

First. Provost-Marshal-General.

Second. Assistant provost-marshal-general.

Third. Assistant provost-marshal-general (in charge of the office).

Fourth. Four branches of the Bureau: First branch, miscellaneous and general business, 1 officer; second branch, disbursements and accounts, 3 officers; third branch, enrollment lists, records, &c., 1 officer; fourth branch, deserters and their rolls, &c., 1 officer. Total number of officers required, 9; now on duty in the Bureau, 4; to be yet procured, 5.

The records will be voluminous, and I don't think there is room enough at my disposal in the War Department. If the Secretary approves, I think it would be better to get a house near the War Department for my purpose.

When a draft is ordered, I think it will be impossible for the surgeon of the enrolling board in populous districts to perform alone the duty required of him in any reasonable time.

The difficulty may be somewhat relieved by detailing some medical officers from the Surgeon-General's Department for this duty temporarily. It would only take them a few weeks.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

NOTE.—The foregoing approved by the Secretary of War, except as to renting a building near the War Department for an office and the titles suggested for assistants to the Provost-Marshal-General, paragraphs Second and Third under "Organization."

WAR DEPARTMENT,
Washington City, D. C., April 2, 1863.

Governor S. J. KIRKWOOD,
Iowa City, Iowa:

SIR: The Secretary of War directs me to acknowledge the receipt of your letter of the 19th ultimo, with inclosures, requesting authority to consolidate certain fragments of regiments and to raise and organize new recruits sufficient to constitute one regiment of cavalry for service against the Indians on the northwestern frontier of your State, and in reply to inform you that your suggestion having been referred

to the General-in-Chief, he concurs in the views you have expressed, and that the Secretary of War, also concurring, has directed that the requisite orders be issued from the office of the Adjutant-General to enable you to effect your object, which orders will be promptly transmitted to you as soon as they are prepared.

Very respectfully, your obedient servant,

P. H. WATSON,
Assistant Secretary of War.

WAR DEPARTMENT,
Washington City, April 2, 1863.

Brig. Gen. A. JOHNSON,
Military Governor of Tennessee:

GOVERNOR: Under your authority and commission as military governor, you are authorized, in your discretion, to exercise among others the following powers:

First. To impose taxes for the support of the poor, for police purposes, and purposes of his government generally.

Second. To impose exactions upon all disloyal persons for the support of the wives and children of those who may have been expelled from the country or who may be in the rebel service.

Third. To impose exactions upon all who have contributed to the rebel service by money, by property, or by the use of their slaves, the amount of exaction to be determined by the discretion of the Governor, or by a board whom he may appoint for that purpose.

Fourth. The power also to extend to the taking possession of property and collecting rents for property or hire of slaves owned by persons who are within the rebel lines.

Very respectfully, your obedient servant,

P. H. WATSON,
Assistant Secretary of War.

GENERAL ORDERS, No. 87. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, April 3, 1863.*

I. Transportation for sanitary supplies will be furnished only on the requisition of a medical director, and, when sent to another department, the supplies must be assigned to the medical director of that department.

II. The assistant surgeon-general, medical inspector-general, and medical inspectors will be allowed the same number of rooms as offices, and fuel and furniture therefor, as are allowed by regulations to officers of the Quartermaster's Department who perform similar duties.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

[APRIL 3, 1863.—For General Orders, No. 88, War Department, Adjutant-General's Office, relating to trade and intercourse with the insurrectionary States, see Series I, Vol. XVIII, p. 580.]

SPRINGFIELD, ILL., *April 3, 1863.*

Hon. E. M. STANTON:

An extensive and dangerous traffic in arms and ammunition is going on in this State. Order No. 22, Department of the Ohio, seems to have no effect. There are no military commanders in towns through the State, and permits are not obtained of the two post commandants of Camps Butler and Douglas. The penalty of Order No. 22 is insufficient, and there is no force in the State to compel its observance. The most extensive preparations for resistance to the Government are evidently being made. The order revoking the new regiments was most unfortunate, and may prove fatal.

RICHD. YATES.

MEMPHIS, TENN., *April 4, 1863.*
(Via Cairo, Ill., 6th.)

Hon. E. M. STANTON:

I arrived here last night, and explained this morning to General Hurlbut the policy of the Administration respecting the contrabands. He says his corps will give it their support, especially those regiments which have been in battle. He desires 600 as artillerists, to man the heavy guns in position, which he says can readily be raised from the contrabands within his lines. I have authorized him to raise six companies, and select the officers. He knows intelligent sergeants who will make good captains. The experience of the Navy is that blacks handle heavy guns well. General Hurlbut is embarrassed with the runaways from their Tennessee masters. They come here in a state of destitution, especially the women and children. He cannot send them back, and I advise their employment as far as possible by the quartermaster, and the general is authorized by General Grant to hire them to citizens who will give proper bonds. Goods shipped here have been on entirely too extensive a scale, especially clothing and other articles needed by the rebels. At least 2,500 pairs of cavalry boots are here. Smuggling from this place and on the river below has been carried on extensively. The trade should be restricted. I am assured that no officers of the command have anything to do with cotton. It is ostensibly bought here, but the dealers in it have their agents, who buy through the country before it reaches this point. It should be brought or shipped here by owners, delivered to the Government agents, weighed, and then sold to the highest bidder, the Government cotton to be sold here in the same way, this being a better market than Saint Louis. After to-day I shall take the first boat for Helena. Nothing of importance from below.

L. THOMAS,
Adjutant-General.

BEAUFORT, S. C., *April 4, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: I have the honor to report the return of the First and Second Regiments of South Carolina Volunteers from Florida. The expedition was in every way successful, and had it not been withdrawn would in a short time have cleared the State of Florida of the rebel troops and secured large amounts of cotton and other valuables to the Government. We had complete and undisputed possession of

Jacksonville and Palatka, and Colonel Montgomery was moving into the interior when the order of recall from General Hunter was received. This was deemed necessary by him in view of his operations in the vicinity of Charleston.

As might be expected, the moral effect of the presence of these colored soldiers under arms was very great, and caused a perfect panic among the rebels throughout the State.

The colored soldiers behaved bravely in all their various actions with the enemy, and in no case did they display any inferiority in point of courage to other soldiers.

I am glad to report that the hostility which at one time existed among the white troops in this department against the employment of colored troops has passed away, and they are now perfectly willing to go into action with them.

I shall urge upon the commanding officer of this department the importance of reoccupying Florida as soon as the Charleston expedition is over. It may require a somewhat larger force at first to regain that we have abandoned. Should the Charleston expedition be successful such force can be recruited there. With the Saint John's River for a base of operations the entire State can be readily occupied by our forces and restored to the Union. Had the expedition been allowed to remain in Florida I am confident that its success would have fully equaled your expectations.

I am, sir, with great respect, your obedient servant,

R. SAXTON,
Brigadier-General.

HELENA, ARK., *April 6, 1863.*
(Received 12.20 p. m. 10th.)

Hon. EDWIN M. STANTON,
Secretary of War, Washington, D. C.:

I addressed some 7,000 troops to-day, and the policy respecting arming the blacks was most enthusiastically received. Generals Prentiss, Washburn, and Hovey made speeches in high commendation of it. Other officers, also the Honorable Mr. Mitchell, addressed the troops. It has infused new life into the troops and they say now they see that the rebellion will be crushed. I am strongly appealed to by all officers of rank to stop all trade below Cairo and let nothing come down but supplies for the troops. It is the boast of the rebel prisoners that the capture of Memphis has been of great service to them, as they now obtain abundant supplies. Here all trade with the rebels is interdicted, but at Memphis the board of trade freely gives passes to individuals to take goods, many of them contraband, beyond the lines. Goods costing millions of money have gone from Memphis beyond the lines and into Arkansas. Trains of wagons have entered Little Rock with goods smuggled from that place. I shall leave here to-morrow.

L. THOMAS,
Adjutant-General.

BOSTON, *April 6, 1863.*

Hon. EDWIN M. STANTON:

Will see Wild to-morrow. He will need little time here to select portion of officers if he accepts. If you will allow some discretion to arrange details subject to your revision you will be satisfied with

result. There will be no delays. Colonel Shaw and officers will fear effect on Fifty-fourth Regiment of any division of it, especially while so green. Will write fully to-morrow.

JNO. A. ANDREW.

WAR DEPARTMENT,
Washington City, April 6, 1863.

Governor ANDREW,
Boston, Mass.:

I agree that there should be no undue haste, and especially not to interfere with the regiment now in progress. Nothing should interfere with its completion. I explained to your adjutant my view that the work would go on faster by raising and equipping independent companies, and give them afterward a regimental organization, but sending the companies at once to such duty at different places as they can perform, so that results could be speedily and readily witnessed at once. I have every confidence in your discretion, and shall not be captious at its proper exercise.

EDWIN M. STANTON.

GENERAL ORDERS, No. 90. } WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, April 7, 1863.

To facilitate the payment, in individual cases and to discharged soldiers, of the advance bounty authorized to volunteers by act of Congress, approved July 5, 1862, and the premium authorized by General Orders, No. 74, War Department, Adjutant-General's Office, July 7, 1862, the following regulations will be observed:

1. The advance bounty and premium should be paid by the United States mustering and disbursing officer at the time of muster into service. If not paid then, the amounts will be entered upon the muster-in rolls, and will be so continued upon every subsequent muster and pay roll until the soldier is paid by a paymaster.

2. When not paid before discharge, the amounts due for premium and bounty will be entered upon the duplicate certificates for pay, and the discharged soldier will be paid by a paymaster. Company commanders will be careful to enter these amounts upon the soldiers' certificates.

3. Mustering and disbursing officers have nothing to do with payments to discharged soldiers.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT,
OFFICE MILITARY DIRECTOR AND SUPERINTENDENT
RAILROADS OF UNITED STATES,
Washington, April 7, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I have the honor to submit the following statement:

Portions of the railroads hereafter designated are now being operated by the Quartermaster's Department in Virginia, viz, Orange and

Alexandria; Loudoun and Hampshire; Washington, Alexandria and Georgetown; Richmond, Fredericksburg and Potomac; Seaboard and Roanoke, and Norfolk and Petersburg.

The construction and operating expenses from August 13, 1861, to January 1, 1863, was $1,171,420.16; total expenses, including locomotives and cars, was $2,499,890.06.

Herewith please find statement exhibiting the number of locomotives and cars purchased and cost of the same, the number of each lost and destroyed, and value of the same, the number of each on hand, where in use, and cost of the same.

The Washington, Alexandria and Georgetown, Orange and Alexandria, and Loudoun and Hampshire Railroads.—There have been moved upon these lines since March 1, 1862, an average of 170 loaded cars daily, and from January 1, 1863, to March 1, 1863, the average movement of loaded cars has been 178 daily, the distance hauled varying with the demands of the service. A large portion of these were loaded with fire-wood for Lieutenant-Colonel Greene, chief quartermaster Defenses of Washington, and for Capt. C. B. Ferguson, assistant quartermaster, Alexandria. Supplies from the North are received at the Baltimore and Ohio station and in the same cars the quartermaster's and commissary stores are taken to the Sixth Street wharf. Forage for Captain Stoddard is taken to Buzzard's Point, and all material for Colonel Ramsay is taken to the arsenal; and at all these points cars are loaded and forwarded to Alexandria, Vienna, Fairfax, and Union Mills, and to Fredericksburg, via Aquia Creek, direct without breaking bulk. Loaded cars are shipped on barges either at Washington or Alexandria, are towed to Aquia; there they are transferred to the rail and are run out to Falmouth, and from thence are returned empty to Alexandria. A train of sixteen cars thus handled saves wharf room, transports, crews, and laborers at two points, the trip being made in about twelve hours between Washington and Falmouth.

Without buildings to shelter our rolling-stock along these lines, and with their termini constantly changing, and generally rushed and crowded, our engines and cars require constant and extensive repairs. Three new locomotives, and three others not new, but in good condition, have required almost entire rebuilding from falling into the hands of the rebels or by being thrown down embankments in their raids.

The falling of the roof of engine house at Alexandria rendered its renewal indispensable. The turn-table has also been rebuilt, and several erections of a temporary character have been built as were absolutely necessary. By special order the shops at Alexandria have been used in the repairs of boilers and machinery of Government transports and in manufacturing iron-work for military suspension bridges.

The Richmond, Fredericksburg, and Potomac Railroad.—On the 17th of November last this line was again taken possession of by the Government.

The old wharf having been destroyed, a new one 1,000 feet long and sixteen feet wide was immediately rebuilt and the first locomotive was landed on the 24th of November. On this day we commenced running trains to Potomac Creek, and on the 28th of November the high bridge over that stream was completed and trains were run to Falmouth.

All the buildings at Aquia had been burned and the main tracks and sidings immediately around the station were so much injured by

the fire that they had to be relaid. The heavy business about to be thrown upon this line rendered a large increase of sidings necessary, both at Aquia and at points along the line. The total length of main track and sidings laid is about three miles.

It was soon ascertained that a single wharf on the site of the old one, even with the large addition projected and since built, would not be sufficient to meet the demands of the service; therefore it was determined to build a branch railroad to Yuba Dam one mile and a half in length, where a wharf has been built of sufficient capacity to hold twenty-four cars. Vessels drawing ten feet and a half of water can come up to it at low tide. By this arrangement the capacity of the railroad has been increased nearly one-half, and for a sudden movement of troops it will prove invaluable.

By direction of Brigadier-General Haupt the buildings upon the wharf and most of the buildings on shore were erected by the railroad force, a large amount of suitable material having been prepared beforehand; and while in doing this much has been added to our expenditures, the expenses of the post quartermaster have been correspondingly reduced.

From November 25, 1862, to March 1, 1863, there have been transported over this road, exclusive of construction materials and special trains:

Cars loaded with—	
Quartermaster's stores	915
Commissary stores	2,346
Forage	4,663
Railroad supplies	112
Ordnance, ammunition, &c	132
Mails and passengers	644
Total	8,812

Estimating ten tons per car, we have 88,120 tons carried, or an average of 800 tons per day. Our daily business now averages 140 cars.

The Seaboard and Roanoke and Norfolk and Petersburg Railroads.—These lines were taken possession of August 10, 1862. A connection was made between them at Suffolk, to which point they are now operated.

There have been transported over the Norfolk and Petersburg Railroad from above date until March 1, 1863, 59,000 passengers and 56,800 tons of freight between Norfolk and Suffolk, a distance of twenty-three miles.

The Seaboard and Roanoke Railroad is used daily, but to a small extent.

I have the honor to be, very respectfully, your obedient servant,

D. C. McCALLUM,
Col. and Mil. Dir. and Supt. Railroads of United States.

GENERAL ORDERS, No. 92. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, April 8, 1863.*

Authority is hereby given to retain in service officers and men now on signal duty whose term of service will expire before they can be examined by a board to be appointed for that purpose under the act approved March 3, 1863, provided their conduct and qualifications are such as to make it advantageous to the service to retain them.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

LAKE PROVIDENCE, LA., *April 9, 1863.*
(Received 7.40 p. m. 15th.)

Hon. E. M. STANTON:

I arrived at this place early yesterday morning and made arrangements for addressing Generals McArthur's and Logan's divisions, of General McPherson's army corps. I announced to the former division in the morning, 4,000 being present, the policy of the Government respecting the black race, and in the afternoon to General Logan's division, some seven thousand. The troops received it with great enthusiasm, and many speeches were made by officers of different rank, fully indorsing the policy. I must refer to the eloquent remarks of General Logan, who not only fully indorsed my own remarks, but went far beyond them, stating most emphatically that he would never return to his home, from which his wife and child had been driven by an unnatural father, until this wicked rebellion shall be utterly crushed. I asked, from each of these divisions, officers to raise two negro regiments, but the difficulty will be to restrict them to that number, for at least ten regiments can be obtained. My first arrangements are for ten regiments, and after these shall have been raised further arrangements will be made for others. Ten thousand pair of negro shoes of large size should at once be forwarded to Memphis. Also arms for that number, including those which may be in the depot at that place. I shall write to Captain Eddy to make requisition for clothing for ten thousand men. I have overtaxed my strength and am far from well, but hope a day or two rest may recruit my energies.

L. THOMAS,
Adjutant-General.

MILLIKEN'S BEND, *April 12, 1863.*
(Received 9 p. m. 16th.)

Hon. E. M. STANTON,
Secretary of War:

I arrived here, the headquarters of General Grant, yesterday, but am too weak to leave the steamer. To-morrow I hope to address the troops. The policy respecting the negroes having been adopted, commanding officers are perfectly willing and ready to afford every aid in carrying it out to a successful issue. The west bank of the Mississippi being under our control, General Grant will send forage parties to the east bank to collect the blacks, mules, &c., for military and agricultural purposes. We shall obtain all that we require. I shall find no difficulty in organizing negro troops to the extent of 20,000, if necessary. The prejudice in this army respecting arming the negroes is fast dying out. The transports are not used for quartering troops or officers. General Grant has only used a steamer, which was necessary. A quartermaster's and commissary boat loaded with supplies is with each division, and the proper staff officers are with their supplies on these boats. I am engaged in ferreting out some cotton speculations. Most of the rascalities in this respect took place early in the season and are now beyond my reach. I send by mail the plan for occupying the abandoned plantations. To have fully effected this I should have been here weeks since.

L. THOMAS,
Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, April 13, 1863.

Col. EDWARD A. WILD,
Thirty-fifth Massachusetts Volunteers:
(Under cover to the Governor of Massachusetts.)

SIR: By direction of the Secretary of War you are hereby authorized to raise a brigade (of four regiments) of North Carolina volunteer infantry, to be recruited in that State, and to serve for three years or during the war.

Each regiment of the said brigade will be organized as prescribed in General Orders, No. 126, series of 1862, from this office. All appointments of officers will be made by the War Department. The recruitment will be conducted in accordance with the rules of the service and the orders of the Secretary of War.

I am, sir, very respectfully, your obedient servant,
THOMAS M. VINCENT,
Assistant Adjutant-General.

GENERAL ORDERS, No. 45. } HDQRS. SIXTEENTH ARMY CORPS,
Memphis, Tenn., April 15, 1863.

I. Pursuant to orders from the Secretary of War (Brig. Gen. L. Thomas, Adjutant-General U. S. Army) there will be recruited and mustered into the service of the United States eight companies of colored men for service as heavy artillery at Fort Pickering.

II. The recruiting, organization, and examination of recruits will be as directed by regulations.

III. Each company will have one captain, two lieutenants, and an orderly-sergeant, who will be white; the other non-commissioned officers will be from the colored recruits.

IV. The commissioned and non-commissioned staff of the battalion will also be white.

V. Lieut. I. G. Kappner is hereby appointed recruiting officer to raise this battalion, and will establish his office in Fort Pickering for that purpose.

All necessary requisitions to carry out this order will be made by him and approved by Brigadier-General Veatch, to whom also regular reports will be made.

VI. Officers commanding divisions who have within their limits men competent for service and desirous of enlisting will report them to Lieutenant Kappner.

VII. Pay and allowances will be the same as in other artillery organizations in the U. S. service.

By order of Maj. Gen. S. A. Hurlbut:
HENRY BINMORE,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, April 18, 1863.

Brig. Gen. A. JOHNSON,
Military Governor of Tennessee:

GENERAL: First. You will establish your headquarters as Military Governor of the State of Tennessee at the city of Nashville, and as

such officer will take possession of all the public buildings belonging to the State of Tennessee and hold them in your charge and under your control for the public purposes for which they were designed or in which you may have occasion to employ them.

Second. You will appropriate such of the buildings to the civil officers, executive, legislative, and judicial, as may be required for the performance of their respective functions, employing such force of military or civil police as you may deem necessary for the security and proper care of such buildings and all other public property in the city of Nashville.

Third. All the public commons and public property in the city of Nashville and elsewhere in the State will be in your charge as military governor, and, so far as possible, you will exercise control over them, your authority and jurisdiction over all such public property being as exclusive and absolute as was exercised by the State of Tennessee, subject only to such military occupation and use as may in the course of the war be authorized and directed by the general commanding the department.

Fourth. You will also take possession of and occupy all vacant and abandoned buildings and property within the city of Nashville possessed or owned by persons engaged in the rebellion, and may apply them to such uses as you may deem proper. You will exercise also the same powers throughout the State of Tennessee.

Fifth. You will also take possession of all abandoned lands and plantations that may come within your power, and lease them for occupation and cultivation upon such terms as you deem proper, keeping an account of the products and registering the name of the former proprietor, and the person and terms upon which they are leased, reporting the same to this Department.

Sixth. You will take in charge all abandoned slaves or colored persons who have been held in bondage, and whose masters have been, or are now, engaged in rebellion, and provide for their useful employment and subsistence in such manner as may be best adapted to their necessities and the circumstances in which you find them, having reference to the provisions of the act of Congress relating to this class of persons and being governed by their provisions.

Seventh. You will cause all such persons to be enrolled upon a descriptive roll setting forth their names, their sex, their age, with any other remarks that may be useful in defining their capacity for usefulness, or as descriptive of their persons, and transmit a copy of them to this Department. Such of them as are able-bodied and can be usefully employed upon the fortifications or other public works you will so employ, securing and causing to be paid to them reasonable wages for their labor.

Eighth. You will also take measures to secure employment and reasonable compensation for the labor of all others of whatever age or sex, making from time to time report to this Department. Such as may be sick or helpless from age or infirmity you will have provided with suitable hospital care and attendance.

Ninth. You will also furnish from the quartermaster's and commissary stores such clothing and subsistence as may be necessary for the decent clothing and support of those who are poor or destitute, keeping a distinct account of all such appropriations.

Very respectfully, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

[APRIL 19, 1863.—For Grant to Halleck, in regard to the policy of arming negroes, &c., see Series I, Vol. XXIV, Part I, p. 30.]

A PROCLAMATION.

Whereas, by the act of Congress approved the thirty-first day of December last the State of West Virginia was declared to be one of the United States of America, and was admitted into the Union on an equal footing with the original States in all respects whatever, upon the condition that certain changes should be duly made in the proposed constitution for that State;

And whereas, proof of a compliance with that condition, as required by the second section of the act aforesaid, has been submitted to me:

Now, therefore, be it known, that I, Abraham Lincoln, President of the United States, do hereby, in pursuance of the act of Congress aforesaid, declare and proclaim that the said act shall take effect and be in force from and after sixty days from the date hereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this twentieth day of April, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States the eighty-seventh.

[L. S.] ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

INDIANAPOLIS, *April 20, 1863.*

His Excellency the PRESIDENT:

In view of my peculiar position and the difficulties by which I am surrounded, I think my recommendations for provost-marshals should have some weight. If not entitled to consideration in this case, they are not in any. I understand from Governor Tod that he has assurances that his recommendation will be followed. In one or two cases the men selected by members of Congress are hostile to me. I have sustained the Administration politically and personally and believe it should sustain me. I have more interest in making good appointments for provost-marshals than any member of Congress, or all put together.

O. P. MORTON.

BURLINGTON, IOWA, *April 20, 1863.*

Hon. E. M. STANTON,
Secretary of War:

DEAR SIR: A little more than a week ago I wrote a private letter to Mr. Watson with a request to show it to you and General Halleck, in which I stated my conviction that there was a secret armed organization in this State intended to resist the execution of the laws, and at the proper time, in their estimation, to effect a rising, and making some suggestions in relation thereto. The testimony to establish the truth of my statements then made has been accumulating ever since

I wrote. I have the facts from so many and diverging sources tending to prove precisely the same facts that I cannot longer doubt their accuracy.

There is an order called the "Sons of 76," of which Sterling Price is chief. The principal oaths are to resist the so-called Union party, to support the Constitution of the United States, to prevent enlistments, &c., to prevent the arrest of a brother member, to rise and take the field at a given signal, to buy all the arms and ammunition possible, and especially to secure them from Union men. I am satisfied that I know their oaths, passwords, grips, &c., and that they intend mischief in a very few weeks. They are bold and defiant and declare that deserters shall not be arrested. There are three parties in this county who deserted from one of our regiments, who, when in town on their way to return, were advised by a lawyer to go back to their farms and go to work.

You may rely upon it that this is not an ordinary or an extraordinary political secret organization. It means mischief. It is organized for insurrection and nothing else. I have felt it to be my duty to call your attention to the subject, and subscribe myself,

Very truly, your obedient servant,

J. W. GRIMES.

CINCINNATI, OHIO, *April 20, 1863—12.30 p. m.*
(Received 1.40 p. m.)

Maj. Gen. H. W. HALLECK,
General-in-Chief:

Have any orders been issued as to raising the 20,000 troops in Kentucky? If so, can the work be commenced at once?

A. E. BURNSIDE,
Major-General.

WAR DEPARTMENT,
Washington, April 21, 1863.

The following regulations for the government of the Bureau of the Provost-Marshal-General of the United States having been approved by the President of the United States, he commands that they be published for the government of all concerned, and that they be strictly observed.

EDWIN M. STANTON,
Secretary of War.

*Regulations for the government of the Bureau of the Provost-Marshal-General of the United States.**

OFFICERS DETAILED AS ACTING ASSISTANT PROVOST-MARSHALS-GENERAL FOR STATES.

1. The officer detailed in each State to aid the War Department in securing uniformity in the execution of the enrollment act shall keep himself well informed as to the condition of the department throughout the State. He shall, under the Provost-Marshal-General of the

*See General Orders, No. 73, Adjutant-General's Office, March 24, 1863 (p. 88), for act of Congress, entitled "An act for enrolling and calling out the national forces, and for other purposes," published with these regulations, but here omitted.

United States, exercise supervision over the provost-marshals and their subordinates for the Congressional districts of that State. He shall communicate to them the orders and instructions of the Provost-Marshal-General and see that they are promptly and efficiently executed. He shall from time to time give or transmit such instructions in accordance with these regulations, as hereinafter prescribed, as may be required to facilitate and enforce obedience to them.

2. He shall forward to the Provost-Marshal-General, with his remarks, all communications transmitted through his office.

3. He will communicate freely with the Governor, and other State, town, county, or city officers, and, with their sanction, will extract such information from their records as may facilitate the business of provost-marshals and boards of enrollment. He shall communicate this and all other useful information to the provost-marshals or boards of enrollment, and shall obtain from them copies of such reports and rolls as may be required for the records of the State authorities.

4. He shall make full and frequent reports to the Provost-Marshal-General on the condition and wants of the service in the State, and shall apply to him for instructions regarding all doubtful points in the discharge of his duty.

PROVOST-MARSHALS' DISTRICTS.

5. The following is from section 4 of the act for enrolling and calling out the national forces, &c., approved March 3, 1863:

That for greater convenience in enrolling, calling out, and organizing the national forces, and for the arrest of deserters and spies of the enemy, the United States shall be divided into districts, of which the District of Columbia shall constitute one, each Territory of the United States shall constitute one or more, as the President shall direct, and each Congressional district of the respective States, as fixed by a law of the State next preceding the enrollment, shall constitute one: *Provided*, That in States which have not by their laws been divided into two or more Congressional districts the President of the United States shall divide the same into so many enrollment districts as he may deem fit and convenient.

PROVOST-MARSHALS.

6. The following is from section 5 of the act for enrolling and calling out the national forces, &c., approved March 3, 1863:

That for each of said districts there shall be appointed by the President a provost-marshal, with the rank, pay, and emoluments of a captain of cavalry or an officer of said rank shall be detailed by the President, who shall be under the direction and subject to the orders of a provost-marshal-general, appointed or detailed by the President of the United States, whose office shall be at the seat of government, forming a separate bureau of the War Department, and whose rank, pay, and emoluments shall be those of a colonel of cavalry.

DISTRICT HEADQUARTERS.

7. The headquarters of each district shall be fixed and announced by the Provost-Marshal-General.

8. Each provost-marshal shall take post at the headquarters of his district.

9. Each provost-marshal on taking post shall, if there be no Government building suitable for the purpose, make, subject to approval, written agreement for the rent of an office upon the most reasonable terms possible; and two copies of this contract shall be forwarded immediately to the Provost-Marshal-General. This office will consist of not more than three rooms, one of which shall be used by the

Board of Enrollment during its sessions, and may be devoted at other times to the wants of the service. The rent will be paid as hereinafter provided for other accounts.

10. Each provost-marshal may employ two clerks, subject to the approval of the Provost-Marshal-General, and at a rate of compensation to be fixed by him. One of these clerks shall, in addition to his other duties, act as recorder of the Board of Enrollment, and both may be appointed deputy provost-marshals for local purposes, but shall not be entitled to additional compensation therefor. Provost-marshals in reporting the appointments of their clerks will send to the Provost-Marshal-General a specimen of the handwriting of each one appointed, and shall recommend the amount of compensation proper to be allowed him.

DEPUTY PROVOST-MARSHALS AND AGENTS.

11. Two deputy provost-marshals for each district composed of more than one county may be appointed, subject to the approval of the Provost-Marshal-General; and if more are thought to be necessary, the number required, the places where, and the reasons why, with all the facts, will be reported through the acting assistant provost-marshal-general for the State, with such recommendations in each case as may be deemed pertinent. The pay of a deputy provost-marshal shall not be more than $100 per month.

12. Special officers or agents for detecting and arresting deserters and spies may be employed when necessary, but not more than four shall be employed in a district without the approval of the Provost-Marshal-General. They may be paid at the rate of $40 to $65 per month, depending on their usefulness.

DUTIES OF PROVOST-MARSHALS.

13. Immediately upon entering upon his duties each provost-marshal shall report by letter to the Provost-Marshal-General of the United States and the acting assistant provost-marshal-general for his State. In case no such acting assistant provost-marshal-general has been assigned, he will place himself at once in communication with the Governor of the State.

14. He will place himself in communication with the principal executive officers of the civil service within his district and all officers commanding organized military forces therein. He shall also acquaint himself with the approximate strength of these forces and the regular stations occupied by them.

15. He shall see to securing and rendering the vouchers and accounts incident to all services pertaining to his office.

16. Section 7, act for enrolling and calling out the national forces, approved March 3, 1863, is as follows:

And be it further enacted, That it shall be the duty of the provost-marshals to arrest all deserters, whether regulars, volunteers, militiamen, or persons called into the service under this or any other act of Congress, wherever they may be found, and to send them to the nearest military commander or military post; to detect, seize, and confine spies of the enemy, who shall, without unreasonable delay, be delivered to the custody of the general commanding the department in which they may be arrested, to be tried as soon as the exigencies of the service permit; to obey all lawful orders and regulations of the Provost-Marshal-General, and such as may be prescribed by law, concerning the enrollment and calling into service of the national forces.

17. When transportation is required by the provost-marshal for deserters after their arrest, or for the military guards in charge of them, he shall make requisition for it on the U. S. quartermaster, if there be one accessible; if not, he shall procure transportation and take vouchers as hereinafter provided.

18. It shall be the duty of the provost-marshal in each district to call together, whenever required, the Board of Enrollment; to preside at its sessions, announce such of its decisions or directions as it may be necessary to make public, enforce its orders, see that a fair record is made of its proceedings in a book kept for that purpose by the recorder, and to transmit to the Provost-Marshal-General the enrollment lists as consolidated by the Board, and such other communications as the Board may deem it necessary to lay before the Provost-Marshal-General.

19. The provost-marshal shall himself, or through his deputies, carry out that part of section 12 of the enrollment act which requires that the persons drawn in the draft "shall be notified of the same within ten days thereafter, by a written or printed notice, to be served personally, or by leaving a copy, at the last place of residence, requiring them to appear at a designated rendezvous to report for duty." And all persons so drawn in the draft shall report at the place of rendezvous on the day required by said notice, which shall be within ten days after such notice has been thus served upon them.

20. He shall file with the district attorney of the United States, for the district in which the offense shall have been committed, written information, containing a report of the facts against any and all persons within his district who shall have violated section 24 of the enrollment act, or any part of the same, which section is in the following terms, to wit:

SEC. 24. *And be it further enacted*, That every person not subject to the Rules and Articles of War who shall procure or entice, or attempt to procure or entice, a soldier in the service of the United States to desert; or who shall harbor, conceal, or give employment to a deserter, or carry him away, or aid in carrying him away, knowing him to be such; or who shall purchase from any soldier his arms, equipments, ammunition, uniform, clothing, or any part thereof; and any captain or commanding officer of any ship or vessel, or any superintendent or conductor of any railroad, or any other public conveyance, carrying away any such soldier as one of his crew or otherwise, knowing him to have deserted, or shall refuse to deliver him up to the orders of his commanding officer, shall, upon legal conviction, be fined, at the discretion of any court having cognizance of the same, in any sum not exceeding five hundred dollars, and he shall be imprisoned not exceeding two years nor less than six months.

21. He shall arrest and forthwith deliver to the proper civil authorities, to wit, the marshal of the United States within and for the district in which the arrest is made, with written charges in the case, any and all persons who shall have violated section 25 of the enrollment act, or any part of the same, which section is in the following terms, to wit:

SEC. 25. *And be it further enacted*, That if any person shall resist any draft of men enrolled under this act into the service of the United States, or shall counsel or aid any person to resist any such draft; or shall assault or obstruct any officer in making such draft, or in the performance of any service in relation thereto; or shall counsel any person to assault or obstruct any such officer, or shall counsel any drafted men not to appear at the place of rendezvous, or willfully dissuade them from the performance of military duty as required by law, such person shall be subject to summary arrest by the provost-marshal, and shall be forthwith delivered to the civil authorities, and, upon conviction thereof, be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding two years, or by both of said punishments.

Provost-marshals are required to execute this duty with firmness, but with prudence and good judgment, and without unnecessary harshness.

22. It shall be the duty of the provost-marshal to prepare and forward, through the assistant provost-marshal-general for his State, to the Provost-Marshal-General, charges and specifications in due form against the surgeon of the Board of Enrollment in his district, if said surgeon omits any of the duties, or renders himself liable to any of the penalties set forth in sections 14 and 15 of the enrollment act, which are in the following terms, to wit:

SEC. 14. *And be it further enacted*, That all drafted persons shall, on arriving at the rendezvous, be carefully inspected by the surgeon of the Board, who shall truly report to the Board the physical condition of each one; and all persons drafted and claiming exemption from military duty on account of disability, or any other cause, shall present their claims to be exempted to the Board, whose decision shall be final.

SEC. 15. *And be it further enacted*, That any surgeon charged with the duty of such inspection who shall receive from any person whomsoever any money or other valuable thing, or agree, directly or indirectly, to receive the same to his own or another's use, for making an imperfect inspection or a false or incorrect report, or who shall willfully neglect to make a faithful inspection and true report, shall be tried by a court-martial, and, on conviction thereof, be punished by fine not exceeding five hundred dollars nor less than two hundred, and be imprisoned at the discretion of the court, and be cashiered and dismissed from the service.

23. The provost-marshal shall, so far as it may be in his power, make the seizures provided for in section 23 of the enrollment act, which section is in the following terms, to wit:

SEC. 23. *And be it further enacted*, That the clothes, arms, military outfits, and accouterments furnished by the United States to any soldier shall not be sold, bartered, exchanged, pledged, loaned, or given away; and no person not a soldier or duly authorized officer of the United States, who has possession of any such clothes, arms, military outfits, or accouterments, furnished as aforesaid, and which have been the subject of any such sale, barter, exchange, pledge, loan, or gift, shall have any right, title, or interest therein; but the same may be seized and taken wherever found by any officer of the United States, civil or military, and shall thereupon be delivered to any quartermaster or other officer authorized to receive the same; and the possession of any such clothes, arms, military outfits, or accouterments, by any person not a soldier or officer of the United States, shall be prima facie evidence of such a sale, barter, exchange, pledge, loan, or gift, as aforesaid.

24. Provost-marshals are expected and required to complete all business which may originate in or properly belong to their respective districts, though in dong so they or their deputies or agents may for the time be carried within the geographical limits of other districts.

25. To enable provost-marshals to discharge their duties efficiently they are authorized to call upon the nearest available military force, or on citizens as a *posse comitatus*, or on U. S. marshals and deputy marshals; and these and all other persons are hereby enjoined to aid the provost-marshal in the execution of his lawful duties when called on so to do.

26. Provost-marshals will report from time to time as to what they deem necessary to secure an efficient performance of the duties required of them, and a complete execution of the law under which they act, giving the names and object of employés proposed.

27. Each provost-marshal shall conform to the special instructions hereinafter set forth, and communicate promptly and fully, through the acting assistant provost-marshal-general for his State, such information and suggestions as he may deem of importance.

APPREHENSION AND DELIVERY OF DESERTERS.

28. Every possible effort must be made by the provost-marshal to secure the arrest of all deserters within his district; he shall see that they are properly held after arrest, and that all deserters arrested by other parties and presented to him, or at his headquarters, are promptly received and held in secure custody until delivered at the nearest military station.

29. The five dollars reward authorized by law for the delivery of a deserter is, of course, only due in case the man presented is actually a deserter. It is, however, ordered that the provost-marshal shall decide whether the reward shall be paid or withheld; and he is directed to permit as little delay as possible in making this decision, in order that persons who bring deserters may receive the reward surely and promptly.

30. Provost-marshals or deputy provost-marshals are not entitled to receive the reward for the apprehension of deserters.

31. Provost-marshals shall keep books in which they shall enter the description of all deserters and other persons received as prisoners by them, with such dates and remarks as may be proper to complete, as far as practicable, the history of the arrest and of the man. They shall also keep such other books as may be necessary to preserve a complete history of their correspondence and business.

32. Where there is a military station in the immediate vicinity of the headquarters of the district, the provost-marshal will send the deserters to it on the day of, or day following their arrest by, or delivery to, him. Where, however, the district headquarters are remote from all military stations, the deserters will be sent tri-monthly, or oftener if there be more than five on hand at any intermediate period.

33. When it is necessary to conduct and guard deserters from district headquarters to a military station, and there be no military force available for this service, the provost-marshal may employ a suitable special guard, under a deputy, to accompany the prisoners. The members of the guard may be allowed, for the time actually and necessarily employed in the trip, a per diem of not more than $1, besides their actual expenses, provided they accomplish the duty assigned them.

34. The provost-marshal shall see that the guards sent from his district to the military station in charge of deserters are armed and instructed to prevent the escape of those in their custody.

35. The district provost-marshal shall see that descriptive lists in duplicate are made of every deserter or party of deserters sent off by him. These lists will be taken by the provost-marshal or deputy in charge of the deserters to the officer to whom the deserters are turned over; this latter officer will retain one and return the other, giving a receipt for the deserters by name on the back of it. This copy of the descriptive list will accompany the provost-marshal's monthly report to the Provost-Marshal-General of persons arrested. The expenses incurred in the apprehension of deserters and the five dollars paid as reward, if this sum has been justly claimed and a voucher given by the provost-marshal for it, will be stated opposite each man's name on the descriptive lists. None of the expenses, however, incurred on the deserter's account after he has been received by the provost-marshal shall be charged against him.

36. By section 13 of the enrollment act any person failing to report after due service of notice, as prescribed in the act, without furnish-

ing a substitute or paying the requisite sum therefor, shall be deemed a deserter, and shall be arrested by the provost-marshal and sent to the nearest military post for trial by court-martial, unless upon proper showing that he is not liable to do military duty, the Board of Enrollment shall relieve him from draft. In case of such arrests the provost-marshal shall send with each deserter to the military post written charges against him.

37. Provost-marshals, while enjoined to a strict and inflexible performance of duty, are warned against improper arrests. It may happen that discharged soldiers may be imposed upon and deprived of their papers, and then delivered for reward to the provost-marshal as deserters. Sagacity and prompt and close scrutiny of every case on the part of provost-marshals must be exercised to prevent abuse or hardship of this nature.

SPIES.

38. It is the duty of provost-marshals "to detect, seize, and confine spies of the enemy, who shall, without unreasonable delay, be delivered to the custody of the general commanding the department in which they may be arrested."

39. Spies when arrested must be securely guarded and conducted to the custody of the general commanding the department by military or special guards in a manner similar to that heretofore provided for deserters.

40. The accounts for all expenses in regard to the arrest, confinement, transportation, and subsistence of spies will be similar to those prescribed for deserters. The fact of their being rendered in relation to a spy, and not to a deserter, must be stated.

RESTS.—QUARTERING AND SUBSISTING PROVOST-MARSHALS' PARTIES.

41. Written agreements will be made by provost-marshals for the rent of "rests," upon the most reasonable terms possible, subject to approval, and two copies of this contract forwarded immediately to the Provost-Marshal-General. The rent will be paid as hereinafter directed for other accounts.

42. Where district headquarters are in cities, or elsewhere, within reach of any of the regular posts, encampments, "soldiers' rests," or other places of accommodation provided by the Government or by the public for soldiers, the provost-marshal shall make it his duty to avail himself of them in providing for deserters, stragglers, &c.; and when moving deserters or other men under his control from one point to another he shall seek and avail himself of these places of accommodation. If there be no such places of accommodation within convenient reach of district headquarters the provost-marshal shall at once establish a "rest," by written agreement with some responsible party, to provide cooked rations, on demand, for as many soldiers as he may from time to time present, and at a rate not to exceed 30 cents a day for each person actually subsisted.

43. After deserters are received by the provost-marshal they and the guards in charge of them must be subsisted at the "rest" or station as heretofore provided.

44. When subsistence cannot be issued by the commissariat to the provost-marshals' parties, it will be procured by the provost-marshal on written contracts when practicable, for complete rations. If the ration cannot be procured thus, then a contract will be made for

board and lodging. The aggregate cost of board and lodging should never exceed 40 cents per diem; as a general rule, experience has indicated that it should be much less.

45. Accounts for subsistence of persons in the military service will be kept distinct from those for citizens, such as citizen employés of the provost-marshal's department, spies, or others not officers or soldiers in the U. S. service.

46. The contractor will send for payment monthly or quarterly, at his option, his accounts for rations issued to persons in military service, to the Commissary-General; and for citizens and drafted men while at the rendezvous, to the Provost-Marshal-General.

47. When convenience and economy require that the contract shall be for board and lodging, the contract shall state the amount for each separately. The contractor will be paid for board as prescribed in the preceding paragraph, and for lodging from the Provost-Marshal-General's funds as hereinafter directed.

48. When a contract cannot be made the provost-marshal may make arrangements for the payment of the necessary expenses of subsisting and boarding his party.

49. When issues of rations are made in kind it will be done on the usual provision returns. Board will be furnished on a return, showing the number of the party, the days, and dates.

50. Lodging will be furnished on a return, showing the number of men, days, and dates for each. From these returns the abstract is made up. (Form 19.)

51. Where "rests" have not been established, and no place of security is at hand, prisoners in charge of provost-marshals' parties may be quartered in jails. In such cases the ordinary jail-fees will be paid in lieu of board and lodging. (See paragraph 118.)

52. When prisoners are to be sent from a station to their destination, as provided in section 7 of the enrollment act of March 3, 1863, they and their guards will be supplied, before leaving the station, with cooked provisions for the trip.

53. Upon their return, or when traveling on duty, the guards must, when practicable, avail themselves of the "rests" or stations on the route.

BOARDS OF ENROLLMENT.

54. Section 8 of act for enrolling and calling out the national forces, &c., approved March 3, 1863, provides:

> That in each of said districts there shall be a board of enrollment, to be composed of the provost-marshal, as president, and two other persons, to be appointed by the President of the United States, one of whom shall be a licensed and practicing physician and surgeon.

55. Section 5 of act making appropriations for sundry civil expenses of the Government for the year ending June 30, 1864, and for the year ending June 30, 1863, and for other purposes, approved March 3, 1863, provides:

> That the surgeon and the citizen at large, who are, with the provost-marshal, to form the enrolling board of each Congressional district, shall receive the compensation of an assistant surgeon of the Army, excluding commutation for fuel and quarters for the time actually employed, and that the same may be paid by the Secretary of War out of appropriations already made for the services of that Department.

Payment shall be made to them and to the provost-marshal by the pay department.

DUTIES OF BOARDS OF ENROLLMENT.

56. Section 9 of act for enrolling and calling out the national forces, &c., approved March 3, 1863, provides:

That it shall be the duty of the said board to divide the district into sub-districts of convenient size, if they shall deem it necessary, not exceeding two, without the direction of the Secretary of War, and to appoint, on or before the tenth day of March next, and in each alternate year thereafter, an enrolling officer for each sub-district, and to furnish him with proper blanks and instructions; and he shall immediately proceed to enroll all persons subject to military duty, noting their respective places of residence, ages on the first day of July following, and their occupation, and shall, on or before the first day of April, report the same to the Board of Enrollment, to be consolidated into one list, a copy of which shall be transmitted to the Provost-Marshal-General, on or before the first day of May succeeding the enrollment: *Provided, nevertheless*, That if, from any cause, the duties prescribed by this section cannot be performed within the time specified, then the same shall be performed as soon thereafter as practicable.

57. To carry out the provisions of the foregoing act, and for the purpose of enrollment, the Board in each district is hereby directed by the Secretary of War to divide each district, whenever the Board shall deem it expedient, into sub-districts at the rate of one for each ward of a city; and if the Board deem it best, one or more townships of a county may constitute a sub-district, where the population is dense, or a county may be made a sub-district in sparsely-settled regions. The object to be kept in view by the board shall be to make such subdivisions as to insure the completion of the enrollment at the earliest date practicable.

58. The Board shall, by its majority, appoint, with the least practicable delay, an enrolling officer for each sub-district, and shall take pains to see that fit and proper persons are selected for this duty. Assessors, if otherwise suitable, are preferable for this position. The enrolling officers may be paid not to exceed $3 per diem for the time actually employed.

59. The Board will give the enrolling officers all necessary instructions, as they act under its direction.

60. The Board shall require of each enrolling officer, before he enters on his duties, an oath duly administered and witnessed, that he will perform faithfully, and without partiality, favor, or affection, all the duties of his office as enrolling officer of the sub-district to which he is appointed, and that he will obey all lawful instructions of the Board of Enrollment.

61. The enrolling officer for each district or sub-district shall, immediately upon his appointment, proceed to enroll all persons subject to military duty under the provisions of the act for enrolling and calling out the national forces. He shall note their respective places of residence, their ages, as they will be upon the 1st day of July, 1863, their color, whether white or black, and their occupations, respectively.

62. This enrollment must include:

(1) All able-bodied male citizens of the United States, between the ages of twenty and forty-five years, not exempt from military service by law.

(2) All persons of foreign birth, not so exempted, who shall have declared, on oath, their intention to become citizens of the United States under and in pursuance of the laws thereof.

63. Section 3 of act for enrolling and calling out the national forces, &c., approved March 3, 1863, provides:

That the national forces of the United States not now in the military service, enrolled under this act, shall be divided into two classes: the first of which shall

comprise all persons subject to do military duty between the ages of twenty and thirty-five years, and all unmarried persons subject to do military duty above the age of thirty-five and under the age of forty-five; the second class shall comprise all other persons subject to do military duty; and they shall not, in any district, be called into the service of the United States until those of the first class shall have been called.

64. The enrollment of each class shall be made separately, on sheets by itself (Forms 35 and 36), but the enrollment of both classes shall be carried on at the same time.

65. Persons having their legal domicile within any district are not exempt from enrollment therein by reason of temporary absence therefrom. Students in colleges or schools, teachers, apprentices, sailors, travelers, traveling merchants, and similar classes of citizens must be enrolled in the districts in which they have their respective domiciles.

66. The Board shall require the enrolling officers to judge of the ages of individuals by the best information they can obtain in each case, but always to make a decision as to whether the person in question is subject to enrollment, and if so, in which class, and to enroll him accordingly. The Board will decide questions of exemption on account of age, when brought before it, under the law, by the persons enrolled.

67. In city districts the Board shall require the enrolling officers to submit their lists, as far as completed, daily or every other day; and if the district is composed of a county the lists shall be required twice a week, or weekly, if the Board deem it best. As soon as these partial lists are received by the Board, they must be entered on the copy for the Provost-Marshal-General, alphabetically arranged.

68. As soon as the enrollment is completed in each district, the consolidated list for the Provost-Marshal-General, with the names alphabetically arranged, must be completed and forwarded direct to him with the least possible delay.

69. The Board shall preserve the rolls of the enrollment subdistricts; and on the consolidated lists for the Provost-Marshal-General a recapitulation shall be made in figures (according to form), showing the number of men, whether white or colored, of each class enrolled in each ward or township, and the total number of each class enrolled in the district.

70. Where complete enrollments have been lately made by State authority copies thereof will be obtained, if practicable, and used in making or verifying the new enrollments.

71. Whenever any part of the national forces in a district is to be called out, the number of men to come from each district will be announced to the Board, through the Provost-Marshal-General, with specific instructions as to the subdivisions to be considered for the district with a view to making the apportionment.

72. The Board shall make the apportionment according to the subdistricts to be considered, and shall then make the draft for each subdistrict of the number of men required, and 50 per cent. in addition.

73. The Board shall make an exact and complete roll of the names of the persons drafted, and of the order in which they were drawn, so that the first drawn may stand first on the said roll, and the second may stand second, and so on. The draft shall take place at the headquarters of the district. It shall be public and under the direction of the Board of Enrollment. The name of each person enrolled shall be placed in a box to be provided for the purpose, and the provost-

marshal, or some person designated by him (the drawer to be blindfolded), shall draw therefrom one name at a time until the required number is obtained.

74. The exact and complete roll of the names of persons drawn in the draft shall be entered by the Board in a book to be kept for that purpose, ruled and headed to correspond with the descriptive roll of drafted men. (Form 34.)

75. The number required to fill the call will be taken from this roll by commencing at the first name and taking in order, until the required number is obtained, all who are not, by the Board, decided to be excepted and exempt under the provisions of the enrollment act.

76. The names of the men thus called into service will be entered on "descriptive rolls" (in triplicate), signed by the Board. One copy of this roll will be sent to the Provost-Marshal-General direct, one copy to the acting assistant provost-marshal-general of the State, and one will be retained by the provost-marshal.

77. Certified extracts from this descriptive roll shall be made in duplicate by the provost-marshal for every party of drafted men sent off, and sent with the party to the officer to whom the party is to be delivered. One copy is to be retained by this officer, and the other is to be returned, with a receipt for the party as delivered to him on the back. The returned copy will accompany the provost-marshal's monthly report to the Provost-Marshal-General.

78. The Board shall note on the roll book of drafted men, in the column of remarks opposite each man's name, the disposition made of him—whether called into service and sent to the rendezvous, exempted by the Board, replaced by a substitute, commuted for, deserted, or discharged as not being required.

79. The substitute whom any drafted person is authorized, by section 13 of the enrollment act, to furnish must be presented to the Board of Enrollment; and it shall be the duty of the Board to examine him and, if accepted, to place his name on the book of persons drafted, with explanatory remarks. His name will then be transcribed on the descriptive rolls of men called into service.

80. Certificates of exemption from the draft, by reason of having provided a substitute, or having paid commutation money, shall be furnished by the Board of Enrollment according to Form 31. A discharge from one draft furnishes no exemption from any subsequent draft, except that when the person drafted has furnished an acceptable substitute, and has received a certificate of discharge from a preceding draft, he shall be held exempt from military duty during the time for which he was drafted and for which such substitute was furnished.

81. The Board shall furnish a discharge (Form 31) from further liabilities under the particular draft to any drafted person who presents a bona fide receipt, for the sum announced in orders for the procuration of substitutes, from the person authorized by the Secretary of War to receive it.

82. All persons exempted from the draft by the Board (section 14, enrollment act) shall be furnished with certificate of the fact (Form 32), and all persons "discharged" after the required number of able-bodied men shall have been obtained shall be furnished by the Board with a certificate (Form 33).

83. The character and amount of evidence requisite to decide the question of disqualification on account of age must be determined by the Board of Enrollment. Such disqualification should be clearly and

fully proved to the Board before exemption is granted under this plea. The following rules should be carefully regarded, viz:

The affidavit of the person claiming exemption must in all cases be required, supported by as much of the following testimony as can be obtained or may be deemed requisite:

(1) By an authenticated extract from the legal registry of births, if there be any such registry.

(2) By any other authenticated documentary evidence tending to establish the fact of age.

(3) By the affidavit of the parents.

(4) By the affidavits of such other respectable persons (not less than two) heads of families as are most likely to be informed on the subject.

The amount of evidence herein required to establish a claim to exemption is the least which the Board should accept; and if in any case the Board has reason to doubt the character or sufficiency of the evidence presented it should decline granting the exemption, unless such additional proof as it may require be produced in time to be considered, without delaying the business of the draft.

EXEMPTIONS AND RULES OF EVIDENCE BY WHICH THEY ARE TO BE DETERMINED.

84. Section 2, act for enrolling and calling out the national forces, &c., approved March 3, 1863, provides as fellows:

That the following persons be, and they are hereby, excepted and exempt from the provisions of this act, and shall not be liable to military duty under the same, to wit: Such as are rejected as physically or mentally unfit for the service; also, first, the Vice-President of the United States, the judges of the various courts of the United States, the heads of the various executive departments of the Government, and the governors of the several States. Second, the only son liable to military duty of a widow dependent upon his labor for support. Third, the only son of aged or infirm parent or parents dependent upon his labor for support. Fourth, where there are two or more sons of aged or infirm parents subject to draft, the father, or, if he be dead, the mother may elect which son shall be exempt. Fifth, the only brother of children not twelve years old, having neither father nor mother, dependent upon his labor for support. Sixth, the father of motherless children under twelve years of age dependent upon his labor for support. Seventh, where there are a father and sons in the same family and household, and two of them are in the military service of the United States as non-commissioned officers, musicians, or privates, the residue of such family and household, not exceeding two, shall be exempt. And no persons but such as are herein excepted shall be exempt *Provided, however*, That no person who has been convicted of any felony shall be enrolled or permitted to serve in said forces.

85. The following diseases and infirmities are those which disqualify for military service, and for which only drafted men are to be "rejected as physically or mentally unfit for the service," viz:

(1) Manifest imbecility or insanity.

(2) Epilepsy. For this disability the statement of the drafted man is insufficient, and the fact must be established by the duly attested affidavit of a physician of good standing who has attended him in a convulsion.

(3) Paralysis, general or of one limb, or chorea; their existence to be adequately determined.

(4) Acute or organic diseases of the brain or spinal chord; of the heart or lungs; of the stomach or intestines; of the liver or spleen; of the kidneys or bladder, sufficient to have impaired the general health, or so well marked as to leave no reasonable doubt of the man's incapacity for military service.

(5) Confirmed consumption; cancer; aneurism of the large arteries.
(6) Inveterate and extensive disease of the skin, which will necessarily impair his efficiency as a soldier.
(7) Decided feebleness of constitution, whether natural or acquired.
(8) Scrofula or constitutional syphilis, which has resisted treatment and seriously impaired his general health.
(9) Habitual and confirmed intemperance or solitary vice, in degree sufficient to have materially enfeebled the constitution.
(10) Chronic rheumatism, unless manifested by positive change of structure, wasting of the affected limb, or puffiness or distortion of the joints, does not exempt. Impaired motion of joints and contraction of the limbs alleged to arise from rheumatism, and in which the nutrition of the limb is not manifestly impaired, are to be proved by examination while in a state of anæsthesia induced by ether only.
(11) Pain, whether simulating headache, neuralgia in any of its forms, rheumatism, lumbago, or affections of the muscles, bones, or joints, is a symptom of disease so easily pretended that it is not to be admitted as a cause for exemption unless accompanied with manifest derangement of the general health, wasting of a limb, or other positive sign of disqualifying local disease.
(12) Great injuries or diseases of the skull, occasioning impairment of the intellectual faculties, epilepsy, or other manifest nervous or spasmodic symptoms.
(13) Total loss of sight; loss of sight of right eye; cataract; loss of crystalline lens of right eye.
(14) Other serious diseases of the eye affecting its integrity and use, *e. g.*, chronic ophthalmia, fistula lachrymalis, ptosis (if real), ectropion, entropion, &c. Myopia, unless very decided or depending upon some structural change in the eye, is not a cause for exemption.
(15) Loss of nose; deformity of nose so great as seriously to obstruct respiration; ozena, dependent upon caries in progress.
(16) Complete deafness. This disability must not be admitted on the mere statement of the drafted man, but must be proved by the existence of positive disease, or by other satisfactory evidence. Purulent otorrhœa.
(17) Caries of the superior or inferior maxilla, of the nasal or palate bones, if in progress; cleft palate (bony); extensive loss of substance of the cheeks, or salivary fistula.
(18) Dumbness; permanent loss of voice; not to be admitted without clear and satisfactory proof.
(19) Total loss of tongue; mutilation or partial loss of tongue, provided the mutilation be extensive enough to interfere with the necessary use of the organ.
(20) Hypertrophy or atrophy of the tongue, sufficient in degree to impair speech or deglutition; obstinate chronic ulceration of the tongue.
(21) Stammering, if excessive and confirmed, to be established by satisfactory evidence under oath.
(22) Loss of a sufficient number of teeth to prevent proper mastication of food and tearing the cartridge.
(23) Incurable deformities or loss of part of either jaw, hindering biting of the cartridge or proper mastication, or greatly injuring speech; anchylosis of lower jaw.
(24) Tumors of the neck, impeding respiration or deglutition; fistula of larynx or trachea; torticollis, if of long standing and well marked.

(25) Deformity of the chest sufficient to impede respiration, or to prevent the carrying of arms and military equipments; caries of the ribs.

(26) Deficient amplitude and power of expansion of chest. A man five feet three inches (minimum standard height for the Regular Army) should not measure less than thirty inches in circumference immediately above the nipples and have an expansive mobility of not less than two inches.

(27) Abdomen grossly protuberant; excessive obesity; hernia, either inguinal or femoral.

(28) Artificial anus; stricture of the rectum; prolapsus ani. Fistula in ano is not a positive disqualification, but may be so, if extensive or complicated with visceral disease.

(29) Old and ulcerated internal hemorrhoids, if in degree sufficient to impair the man's efficiency. External hemorrhoids are no cause for exemption.

(30) Total loss or nearly total loss of penis; epispadia or hypospadia at the middle or near the root of the penis.

(31) Incurable permanent organic stricture of the urethra, in which the urine is passed drop by drop, or which is complicated by disease of the bladder; urinary fistula. Recent or spasmodic stricture of the urethra does not exempt.

(32) Incontinence of urine, being a disease frequently feigned and of rare occurrence, is not of itself a cause for exemption. Stone in the bladder, ascertained by the introduction of the metallic catheter, is a positive disqualification.

(33) Loss or complete atrophy of both testicles from any cause; permanent retention of one or both testicles within the inguinal canal; but voluntary retraction does not exempt.

(34) Confirmed or malignant sarcocele; hydrocele, if complicated with organic disease of the testicle. Varicocele and cirsocele are not in themselves disqualifying.

(35) Excessive anterior or posterior curvature of the spine; caries of the spine.

(36) Loss of an arm, forearm, hand, thigh, leg, or foot.

(37) Wounds, fractures, tumors, atrophy of a limb, or chronic diseases of the joints or bones, that would impede marching or prevent continuous muscular exertion.

(38) Anchylosis or irreducible dislocation of the shoulder, elbow, wrist, hip, knee, or ankle joint.

(39) Muscular or cutaneous contractions from wounds or burns in degree sufficient to prevent useful motion of a limb.

(40) Total loss of a thumb; loss of ungual phalanx of right thumb.

(41) Total loss of any two fingers of same hand.

(42) Total loss of index finger of right hand.

(43) Loss of the first and second phalanges of the fingers of right hand.

(44) Permanent extension or permanent contraction of any finger except the little finger; all the fingers adherent or united.

(45) Total loss of either great toe; loss of any three toes on the same foot; all the toes joined together.

(46) The great toe crossing the other toes with great prominence of the articulation of the metatarsal bone and first phalanx of the great toe.

(47) Overriding or superposition of all the toes.

(48) Permanent retraction of the last phalanx of one of the toes, so that the free border of the nail bears upon the ground; or flexion at a right angle of the first phalanx of a toe upon a second, with anchylosis of this articulation.

(49) Club feet; splay feet, where the arch is so far effaced that the tuberosity of the scaphoid bone touches the ground and the line of station runs along the whole internal border of the foot, with great prominence of the inner ankle; but ordinary large, ill-shaped, or flat feet do not exempt.

(50) Varicose veins of inferior extremities, if large and numerous, having clusters of knots and accompanied with chronic swellings or ulcerations.

(51) Chronic ulcers; extensive, deep, and adherent cicatrices of lower extremities.

86. No certificate of a physician or surgeon is to be received in support of any point in the claim of drafted men for exemption from military service unless the facts and statements therein set forth are affirmed or sworn to before a civil magistrate competent to administer oaths.

87. The exempts under the first provision of section 2 of the act for enrolling and calling out the national forces, &c., will generally be sufficiently well known to the Board to obviate the necessity of evidence with regard to them. Should, however, the Board consider it necessary in any case, the commission or certificate of office of any person claiming exemption under the provision mentioned may be required to be shown.

88. To establish exemption under the second, third, fourth, fifth, and sixth provisions of section 2 of the act for enrolling and calling out the national forces, &c., the Board shall require the affidavits of the person seeking to be exempt and of two respectable men (heads of families) residing in the district, that the man in question is "the only son liable to military duty of a widow dependent on his labor for support," "the only son of aged or infirm parent or parents dependent on his labor for support," or otherwise, according to the particular provision of the section under which the exemption is claimed. These affidavits will be made according to the forms hereinafter prescribed, and must in all cases be taken before a civil magistrate duly authorized to administer oaths. These forms of affidavits shall be published by the Board of Enrollment in the newspapers of the district, for the information of the public, when a draft is ordered.

89. When a claim for exemption is made under the seventh provision of section 2 of the act for enrolling and calling out the national forces, &c., the Board shall apply to the Provost-Marshal General for the necessary extracts from the official rolls in the War Department, upon which it shall decide the case.

90. Persons claiming exemption from enrollment must furnish clear proof of their right to such exemption. They will be enrolled where the proof of their exemption is not clear and conclusive.

INSTRUCTIONS FOR THE PHYSICAL EXAMINATION OF DRAFTED MEN AND SUBSTITUTES.

91. The duty of inspecting men, and of determining whether they are fit or unfit for the military service of the country, requires the utmost impartiality, skill, and circumspection on the part of the examining surgeon and Board of Enrollment; for upon the manner in which this

duty is performed will depend, in a very great degree, the efficiency of the Army.

92. In the examination the examining surgeons will bear in mind that the object of the Government is to secure the services of men who are effective, able-bodied, sober, and free from disqualifying diseases.

93. The examining surgeons will also remember that the object of the drafted men in claiming exemption may be to escape from service by pretended, simulated, or factitious diseases, or by exaggerating or aggravating those that really exist, and that the design of substitutes frequently is to conceal disqualifying infirmities.

94. The examination by the examining surgeon is to be conducted in the daytime, in the presence of the Board of Enrollment, and in a room well lighted and sufficiently large for the drafted man to walk about and exercise his limbs, which he must be required to do briskly.

95. The man is to be examined stripped.

96. The surgeon will habitually conduct his examination of a man in the following order, to ascertain—

(1) Whether his limbs are well formed and sufficiently muscular; whether they are ulcerated or extensively cicatrized; whether he has free motion of all his joints, and whether there are any varicose veins, tumors, wounds, fractures, dislocations, or sprains that would impede his marching or prevent continuous muscular exertion.

(2) Whether the thumbs and fingers are complete in number, are well formed, and their motion unimpaired.

(3) Whether the feet are sufficiently arched to prevent the tuberosity of the scaphoid bone from touching the ground; whether the toes are complete in number, do not overlap, are not joined together, and whether the great toes are free from bunions.

(4) Whether he has any inveterate and extensive disease of the skin.

(5) Whether he is sufficiently intelligent; is not subject to convulsions, and whether he has received any contusion or wound of the head that may impair his faculties.

(6) Whether his hearing, vision, and speech are good, and whether the eye and its appendages are free from disqualifying diseases.

(7) Whether he has a sufficient number of teeth in good condition to masticate his food properly, and to tear his cartridge quickly and with ease. The cartridge is torn with the incisor, canine, or bicuspid teeth.

(8) Whether his chest is ample and well formed, in due proportion to his height, and with power of full expansion.

(9) Whether there is any structural or serious functional disease of the heart.

(10) Whether the abdomen is well formed and not too protuberant; whether either the liver or spleen is considerably enlarged, and whether the rectum and anus are free from disqualifying diseases.

(11) Whether the spermatic chords and testes are free from diseases which would impair his efficiency; whether the testes are within the scrotum, and whether he has any rupture.

(12) Whether there is any organic disease of the kidney or bladder, or permanent stricture of the urethra.

(13) Whether his physical development is good, and constitution neither naturally feeble nor impaired by disease, habitual intemperance, or solitary vice; whether he is free from phthisis, scrofula, and constitutional syphilis, and whether he is epileptic, imbecile, or insane.

Many of the physical defects above mentioned are insufficient in themselves to disqualify for military service. In determining whether the man is fit or unfit for service the Board must be governed by the list of diseases and infirmities enumerated in paragraph 85.

ACCOUNTS, REPORTS, AND RETURNS.

97. The following are the accounts, reports, and returns to be rendered by provost-marshals to the Provost-Marshal-General:

(1) Tri-monthly reports of persons arrested, showing the disposition made of them. (Form 1.) A copy of this report will be sent to the acting assistant provost-marshal-general of the State.

(2) Tri-monthly reports of deserters arrested, stating how disposed of. (Form 2.) A copy to be sent to the acting assistant provost-marshal-general of the State.

(3) Tri-monthly reports of their business and general transactions in the form of a letter, subdivided into subjects. (Triplicates.) A copy to be sent to the acting assistant provost-marshal-general of the State.

(4) Monthly abstract of indebtedness incurred (Form 3), with separate vouchers for each account.

(5) Monthly reports of persons and articles hired and employed. (Form 4.) A copy to be sent to the acting assistant provost-marshal-general of the State.

(6) Monthly reports of persons arrested, being a consolidation of the tri-monthly reports on the same subject. (Form 5.) A copy to be sent to the acting assistant provost-marshal-general of the State.

(7) Monthly returns of provost-marshals' parties and deserters. (Form 6.) A copy to be sent to the acting assistant provost-marshal-general of the State.

(8) Monthly returns of public property. (Form 7.) An abstract (Form 8) will be made of all the articles purchased during the month. Articles expended, lost, destroyed, &c., to be accounted for on an abstract (Form 9) with vouchers. (Form 10.)

98. One copy of monthly reports, returns, &c., must be transmitted to the Provost-Marshal-General's Office within five days after the end of the month to which they relate; and one copy thereof will be kept on file by each provost-marshal.

99. Officers in signing accounts and papers must give their rank and regiment or corps. Provost-marshals must append their title to their names.

100. No expenditure must be charged without a proper voucher to support it.

101. Each voucher must be separately entered on the abstract of indebtedness incurred.

102. Each voucher should be complete in itself, being accompanied by all orders and explanations necessary to make it fully understood.

103. Vouchers for purchases must specify the date and place of purchase, the items and amount, and the name of the person or persons in whose favor the account is made.

104. Vouchers for other expenditures must specify when, where, to whom, and for what purpose the expenditure was made; the number and names of the persons for whom the expense was incurred—if for officers or enlisted men, the company and regiment to which they belong. When the names are numerous a separate list of them should accompany the voucher.

105. Vouchers must in all cases be accompanied by the receipt of the party to whom payment is made, and by the certificate of an officer of the Army or provost-marshal, that the amount charged is accurate and just, and that it was necessary for the public service.

106. When a voucher is not supported by a certificate of an officer or provost-marshal it must be accompanied by the affidavit of the person incurring the expense, setting forth that it was actually and necessarily incurred in the public service.

107. The receipt to a voucher must be signed, when practicable, by a principal. When this is not practicable the provost-marshal will add to his own certificate a statement that the agent is duly authorized to sign the receipt.

108. When an individual makes "his mark," instead of signing his name to the receipt, it must be witnessed by a third person.

109. If medical attendance be necessary, and there be no army surgeon available, the provost-marshal may engage the services of a physician, by contract, on reasonable terms, "by the visit" or by the month.

110. In vouchers for medical attendance and medicines the name of each patient, date of, and charge for each visit, and for medicines furnished must be given, and the certificate of the physician added that the rates charged are the usual rates of the place.

111. To each voucher for notices inserted in newspapers or posters a copy of the notice or poster will be appended.

112. Vouchers to accounts which are to be paid by a disbursing officer of the Quartermaster's or the Subsistence Departments must be made out in quadruplicate—three for the use of the departments, the other for the Provost-Marshal-General.

113. Vouchers to accounts which are to be paid by the Provost-Marshal-General's Department will be made out in duplicate.

114. Expenditures must be confined to items stated in these regulations. In an unforeseen emergency, requiring a deviation from this rule, a full explanation must be appended to the voucher for the expenditure; and if this be not satisfactory the account will be charged against the provost-marshal.

115. Among expenses proper to be incurred for the provost-marshal's department may be enumerated—

(1) Rent of office for district provost-marshals.

(2) Purchase of necessary fuel for office of district provost-marshals.

(3) Subsistence of drafted men while at rendezvous; not to exceed 30 cents per diem, in case subsistence cannot be furnished by Subsistence Department.

(4) Necessary transportation of drafted men to rendezvous, and to their homes in case of discharge, at the rate of (not to exceed) 2 cents per mile for railroad travel, and at the current rates for stage and steam-boat fare.

(5) Knives, forks, spoons, tin cups, and tin plates for drafted men.

(6) Necessary medicines and medical attendance, as provided for in the Regulations.

(7) Actual necessary expenses incurred in arrest of spies, deserters, &c., by authorized agents of provost-marshals.

(8) Advertising in (not to exceed two) newspapers, in the city or district, the necessary notices, &c., concerning the draft.

(9) Such other necessary expenses, not herein provided for, as may be deemed necessary to the efficient execution of the duties of provost-marshal, subject to the decision of the Provost-Marshal-General.

116. Accounts, returns, and reports, except tri-monthly reports, must be accompanied by a letter of transmittal, enumerating them, and referring to no other subject.

117. All copies of papers to accompany letters or accounts should be certified by an officer as "true copies."

118. All accounts for jail fees and lodging of deserters, or for the transportation of the guards or parties in charge of them, shall be rendered to the provost-marshal, and shall be examined by him; if found correct and reasonable he shall make out separate vouchers (Forms 12, 15) for each account and sign the certificate thereon.

119. One copy of the voucher will be transmitted, through the provost-marshal, to the Provost-Marshal-General for payment. The other copy will be retained by the provost-marshal to be forwarded at the end of the month, with his abstract of indebtedness, to the Provost-Marshal-General.

To insure prompt payment on vouchers which are not presented in person by the party to whom the account is due, the receipt on the vouchers should be signed by him before the vouchers are forwarded.

120. Accounts for the $5 reward authorized for the apprehension of a deserter and for the reasonable expenses incurred in his delivery to the nearest provost-marshal shall be rendered and made out and one voucher retained and disposed of, as prescribed for the accounts in the preceding paragraph.

121. Triplicates of these vouchers will be given to the person to whom the account is due for presentation to the nearest disbursing officer of the Quartermaster's Department for payment, or if he choose he may have the vouchers forwarded to the Provost-Marshal-General, as already prescribed for other accounts.

122. When it becomes absolutely necessary to purchase subsistence for prisoners, deserters, or guards en route from a station to the place of destination, or whilst traveling on duty, the bills must be paid and receipts obtained for the amounts by the district provost-marshal or by the special provost-marshal in charge of the party, to whom the amounts will be reimbursed on presenting their accounts made out on proper vouchers. (Form 15.)

123. The original bills (Form 16) for subsistence furnished en route must be kept as sub-vouchers to the account for reimbursement, must be made out in quadruplicate, and must specify the place and date of expenditure, the items and amounts, the number and names of the party subsisted, and if enlisted men, their company and regiment; must be accompanied by the receipt of the person to whom payment was made, and by the affidavit of the person incurring the expense that it was actually and necessarily incurred in the public service.

124. Vouchers to accounts for reimbursement (Form 15) will be made out and certified by the district provost-marshal, and must specify the place and date of expenditure, the number and names of the prisoners, deserters, and guards, and the period for which the expense was incurred.

125. When the expenditures have been incurred for enlisted men, triplicates of the above vouchers with their corresponding sub-vouchers will be given to the person claiming reimbursement, to be presented or sent to the nearest disbursing officer of the Subsistence Department for payment.

The fourth voucher and sub-voucher will be retained and disposed of as provided in paragraph 119.

126. When the expense has been incurred for civilians the vouchers and sub-vouchers will be sent for payment direct to the Provost-Marshal-General.

127. The vouchers (Form 18) in quadruplicate will be made out and certified by the provost-marshal, and will be disposed of as indicated for other accounts.

128. Vouchers for office rent and for the rent of rendezvous (Form 18), for the purchase of office furniture, fuel, and stationery (Form 13), for postage (Form 14), and for traveling pay to drafted persons (Form 11), and for the payment of persons employed (Form 17), to be sent monthly, after being properly made out, certified, and receipted, will be forwarded for payment direct to the Provost-Marshal-General. One copy of these vouchers to be retained, except 17, and disposed of as provided in paragraph 119.

129. All accounts for per diem to special provost-marshals, special guards, and to all other persons for services rendered, and not herein otherwise specially provided for, will be made out and certified by the provost-marshal, and shall be disposed of as provided in paragraph 119.

130. The expenses incurred for drafted persons prior to their reporting for duty, and for deserters previous to their delivery at a provost-marshal's rendezvous, including subsistence while at the rendezvous, must be paid by the Provost-Marshal-General from the appropriations at his disposal; but after leaving the rendezvous to join their regiments or any general rendezvous established by the War Department, all expenses for the subsistence and transportation of drafted persons and deserters shall be paid by the Subsistence and Quartermaster's Departments respectively.

131. All questions relating to the payment of expenses connected with the enrollment and draft, the arrest and return of deserters to their regiments, or such other duties as provost-marshals shall be called upon to perform, shall be referred to the Provost-Marshal-General, whose decision thereon shall, so far as the War Department is concerned, be final.

Extracts from General Regulations of the Army.

ARTICLE XLI.

PUBLIC PROPERTY, MONEY, ACCOUNTS, AND CONTRACTS.

995. Any officer who shall directly or indirectly sell or dispose of, for a premium, any Treasury note, draft, warrant, or other public security in his hands for disbursement, or sell or dispose of the proceeds or avails thereof without making returns of such premium and accounting therefor by charging it in his accounts to the credit of the United States, will forthwith be dismissed by the President. (Act August 6, 1846.)

996. If any disbursing officer shall bet at cards or any game of hazard, his commanding officer shall suspend his functions and require him to turn over all the public funds in his keeping, and shall immediately report the case to the proper bureau of the War Department.

997. All officers are forbid to give or take any receipt in blank for public money or property; but in all cases the voucher shall be made out in full, and the true date, place, and exact amount of money, in words, shall be written out in the receipt before it is signed.

1000. No officer disbursing or directing the disbursement of money for the military service shall be concerned, directly or indirectly, in the purchase or sale, for commercial purposes, of any article intended

for, making a part of, or appertaining to the department of the public service in which he is engaged, nor shall take, receive, or apply to his own use any gain or emolument, under the guise of presents or otherwise, for negotiating or transacting any public business, other than what is or may be allowed by law.

1002. No officer or agent in the military service shall purchase from any other person in the military service, or make any contract with any such person to furnish supplies or services, or make any purchase or contract in which such person shall be admitted to any share or part, or to any benefit to arise therefrom.

1003. No person in the military service whose salary, pay, or emoluments is or are fixed by law or regulations, shall receive any additional pay, extra allowance, or compensation, in any form whatever, for the disbursement of public money, or any other service or duty whatsoever, unless the same shall be authorized by law and explicitly set out in the appropriation.

1004. All accounts of expenditures shall set out a sufficient explanation of the object, necessity, and propriety of the expenditure.

1005. The facts on which an account depends must be stated and vouched by the certificate of an officer, or other sufficient evidence.

1006. If any account paid on the certificate of an officer to the facts is afterward disallowed for error of fact in the certificate, it shall pass to the credit of the disbursing officer, and be charged to the officer who gave the certificate.

1007. An officer shall have credit for an expenditure of money or property made in obedience to the order of his commanding officer. If the expenditure is disallowed, it shall be charged to the officer who ordered it.

1009. When a disbursing officer is relieved he shall certify the outstanding debts to his successor, and transmit an account of the same to the head of the bureau, and turn over his public money and property appertaining to the service from which he is relieved, to his successor, unless otherwise ordered.

1014. No officer has authority to insure public property or money.

1015. Disbursing officers are not authorized to settle with heirs, executors, or administrators, except by instructions from the proper bureau of the War Department upon accounts duly audited and certified by the proper accounting officers of the Treasury.

1017. No public property shall be used, nor labor hired for the public be employed, for any private use whatsoever not authorized by the regulations of the service.

1027. If any article of public property be lost or damaged by neglect or fault of any officer or soldier, he shall pay the value of such article, or amount of damage, or cost of repairs, at such rates as a board of survey, with the approval of the commanding officer, may assess, according to the place and circumstances of the loss or damage. And he shall, moreover, be proceeded against as the Articles of War provide, if he demand a trial by court-martial, or the circumstances should require it.

1029. If any article of public property be embezzled, or by neglect lost or damaged, by any person hired in the public service, the value or damage, as ascertained, if necessary, by a board of survey, shall be charged to him, and set against any pay or money due him.

1030. Public property lost or destroyed in the military service must be accounted for by affidavit, or the certificate of a commissioned officer, or other satisfactory evidence.

1031. Affidavits or depositions may be taken before any officer in the list, as follows, when recourse cannot be had to any before named on said list, which fact shall be certified by the officer offering the evidence: First, a civil magistrate competent to administer oaths; second, a judge-advocate; third, the recorder of a garrison or regimental court-martial; fourth, the adjutant of a regiment; fifth, a commissioned officer.

1033. No officer making returns of property shall drop from his return any public property as worn out or unserviceable until it has been condemned, after proper inspection, and ordered to be so dropped.

1053. It is the duty of every commanding officer to enforce a rigid economy in the public expenses.

LIST OF FORMS.*

No. 1.—Tri-monthly report of persons arrested.
No. 2.—Tri-monthly report of deserters arrested.
No. 3.—Monthly abstract of indebtedness.
No. 4.—Monthly report of persons and articles employed.
No. 5.—Monthly report of persons arrested.
No. 6.—Monthly returns of provost-marshals' parties and deserters.
No. 7.—Monthly return of public property.
No. 8.—Abstract of articles purchased.
No. 9.—Abstract of articles expended, &c.
No. 10.—List of articles expended, lost, &c.
No. 11.—Traveling pay to drafted persons.
No. 12.—Transportation of deserters, &c.
No. 13.—Purchases.
No. 14.—Postage, &c.
No. 15.—Reimbursements of expenses paid.
No. 16.—Sub-voucher to claim for reimbursement.
No. 17.—Receipt roll of persons employed.
No. 18.—General voucher.
No. 19.—Abstract of lodgings.
No. 20.—Contract for subsistence.
No. 21.—Voucher for purchase of rations.
No. 22.—Abstracts of rations issued.
No. 23.—Return of lodgings.
No. 24.—Return of rations.
No. 25.—Exemption for son of widow, or aged or infirm parents.
No. 26.—Exemption for one of two sons of aged or infirm parents.
No. 27.—Exemption for only brother of dependent child or children.
No. 28.—Exemption on account of two members of family being in military service.
No. 29.—Exemption for father of dependent motherless children.
No. 30.—Exemption for unsuitableness of age.
No. 31.—Certificate of non-liability to military duty.
No. 32.—Certificate of disability.
No. 33.—Certificate of discharge.
No. 34.—Descriptive roll of drafted men.
No. 35.—Enrollment list, Class I.
No. 36.—Consolidated enrollment list, Class I.
No. 37.—Enrollment list, Class II.
No. 38.—Consolidated enrollment list, Class II.
No. 39.—Notification to persons of their having been drafted.

* All forms omitted.

GENERAL ORDERS, No. 25. } HDQRS. DEPT. OF THE TENNESSEE, *Milliken's Bend, La., April 22, 1863.*

I. Corps, division, and post commanders will afford all facilities for the completion of the negro regiments now organizing in this department. Commissaries will issue supplies, and quartermasters will furnish stores, on the same requisitions and returns as are required from other troops. It is expected that all commanders will especially exert themselves in carrying out the policy of the Administration, not only in organizing colored regiments and rendering them efficient, but also in removing prejudice against them.

* * * * * * *

By order of Maj. Gen. U. S. Grant:

JNO. A. RAWLINS,
Assistant Adjutant-General.

WASHINGTON, D. C., *April 23, 1863.*

Major-General BURNSIDE,
Cincinnati, Ohio:

The Secretary of War has refused three applications to make the troops in Kentucky a distinct army corps, for the reason that they are not combined into a single corps, but act by detachments. Should these troops gain some important victory he may make them a distinct corps as a reward.

H. W. HALLECK,
General-in-Chief.

CINCINNATI, *April 23, 1863.*

Hon. E. M. STANTON,
Secretary of War, Washington:.

I am very anxious to know if the order authorizing the organization of the 20,000 troops has been issued. I feel that it is important that it should be done at once. Colonel Bramlette, whose initials you have in a paper left by General Boyle, would make a most excellent brigadier-general to assist in organizing these troops, and I sincerely hope he will be appointed at once by telegraph and ordered to report to me.

There is likely to be some trouble in this department, but I think it can be quieted. Should I be compelled to assume a little more responsibility than attaches to my position, I feel sure you will sustain me. I shall try to do nothing indiscreet.

A. E. BURNSIDE,
Major-General.

GENERAL ORDERS, No. 99. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, April 24, 1863.*

Volunteer regiments about to be discharged will, at the expiration of their term of service, be returned to the States in which they were raised and there promptly paid and mustered out. They will turn over their arms and equipments before leaving the army in which they are serving. The Quartermaster's Department will furnish transportation, and the Subsistence Department will furnish subsistence up to

the time of the final payment of the troops. The Paymaster-General will cause them to be paid immediately on their arrival in their respective States and before they disperse.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 100. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, April 24, 1863.*

The following "Instructions for the Government of Armies of the United States in the Field," prepared by Francis Lieber, LL.D., and revised by a board of officers, of which Maj. Gen. E. A. Hitchcock is president, having been approved by the President of the United States, he commands that they be published for the information of all concerned.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

INSTRUCTIONS FOR THE GOVERNMENT OF ARMIES OF THE UNITED STATES IN THE FIELD.

SECTION I.—*Martial law—Military jurisdiction—Military necessity—Retaliation.*

1. A place, district, or country occupied by an enemy stands, in consequence of the occupation, under the martial law of the invading or occupying army, whether any proclamation declaring martial law, or any public warning to the inhabitants, has been issued or not. Martial law is the immediate and direct effect and consequence of occupation or conquest.

The presence of a hostile army proclaims its martial law.

2. Martial law does not cease during the hostile occupation, except by special proclamation, ordered by the commander-in-chief, or by special mention in the treaty of peace concluding the war, when the occupation of a place or territory continues beyond the conclusion of peace as one of the conditions of the same.

3. Martial law in a hostile country consists in the suspension by the occupying military authority of the criminal and civil law, and of the domestic administration and government in the occupied place or territory, and in the substitution of military rule and force for the same, as well as in the dictation of general laws, as far as military necessity requires this suspension, substitution, or dictation.

The commander of the forces may proclaim that the administration of all civil and penal law shall continue either wholly or in part, as in times of peace, unless otherwise ordered by the military authority.

4. Martial law is simply military authority exercised in accordance with the laws and usages of war. Military oppression is not martial law; it is the abuse of the power which that law confers. As martial law is executed by military force, it is incumbent upon those who administer it to be strictly guided by the principles of justice, honor, and humanity—virtues adorning a soldier even more than other men, for the very reason that he possesses the power of his arms against the unarmed.

5. Martial law should be less stringent in places and countries fully occupied and fairly conquered. Much greater severity may be exer-

cised in places or regions where actual hostilities exist or are expected and must be prepared for. Its most complete sway is allowed—even in the commander's own country—when face to face with the enemy, because of the absolute necessities of the case, and of the paramount duty to defend the country against invasion.

To save the country is paramount to all other considerations.

6. All civil and penal law shall continue to take its usual course in the enemy's places and territories under martial law, unless interrupted or stopped by order of the occupying military power; but all the functions of the hostile government—legislative, executive, or administrative—whether of a general, provincial, or local character, cease under martial law, or continue only with the sanction, or, if deemed necessary, the participation of the occupier or invader.

7. Martial law extends to property, and to persons, whether they are subjects of the enemy or aliens to that government.

8. Consuls, among American and European nations, are not diplomatic agents. Nevertheless, their offices and persons will be subjected to martial law in cases of urgent necessity only; their property and business are not exempted. Any delinquency they commit against the established military rule may be punished as in the case of any other inhabitant, and such punishment furnishes no reasonable ground for international complaint.

9. The functions of ambassadors, ministers, or other diplomatic agents, accredited by neutral powers to the hostile government, cease, so far as regards the displaced government; but the conquering or occupying power usually recognizes them as temporarily accredited to itself.

10. Martial law affects chiefly the police and collection of public revenue and taxes, whether imposed by the expelled government or by the invader, and refers mainly to the support and efficiency of the Army, its safety, and the safety of its operations.

11. The law of war does not only disclaim all cruelty and bad faith concerning engagements concluded with the enemy during the war, but also the breaking of stipulations solemnly contracted by the belligerents in time of peace, and avowedly intended to remain in force in case of war between the contracting powers.

It disclaims all extortions and other transactions for individual gain; all acts of private revenge, or connivance at such acts.

Offenses to the contrary shall be severely punished, and especially so if committed by officers.

12. Whenever feasible, martial law is carried out in cases of individual offenders by military courts; but sentences of death shall be executed only with the approval of the chief executive, provided the urgency of the case does not require a speedier execution, and then only with the approval of the chief commander.

13. Military jurisdiction is of two kinds: First, that which is conferred and defined by statute; second, that which is derived from the common law of war. Military offenses under the statute law must be tried in the manner therein directed; but military offenses which do not come within the statute must be tried and punished under the common law of war. The character of the courts which exercise these jurisdictions depends upon the local laws of each particular country.

In the armies of the United States the first is exercised by courts-martial; while cases which do not come within the Rules and Articles of War, or the jurisdiction conferred by statute on courts-martial, are tried by military commissions.

14. Military necessity, as understood by modern civilized nations, consists in the necessity of those measures which are indispensable for securing the ends of the war, and which are lawful according to the modern law and usages of war.

15. Military necessity admits of all direct destruction of life or limb of armed enemies, and of other persons whose destruction is incidentally unavoidable in the armed contests of the war; it allows of the capturing of every armed enemy, and every enemy of importance to the hostile government, or of peculiar danger to the captor; it allows of all destruction of property, and obstruction of the ways and channels of traffic, travel, or communication, and of all withholding of sustenance or means of life from the enemy; of the appropriation of whatever an enemy's country affords necessary for the subsistence and safety of the Army, and of such deception as does not involve the breaking of good faith either positively pledged, regarding agreements entered into during the war, or supposed by the modern law of war to exist. Men who take up arms against one another in public war do not cease on this account to be moral beings, responsible to one another and to God.

16. Military necessity does not admit of cruelty—that is, the infliction of suffering for the sake of suffering or for revenge, nor of maiming or wounding except in fight, nor of torture to extort confessions. It does not admit of the use of poison in any way, nor of the wanton devastation of a district. It admits of deception, but disclaims acts of perfidy; and, in general, military necessity does not include any act of hostility which makes the return to peace unnecessarily difficult.

17. War is not carried on by arms alone. It is lawful to starve the hostile belligerent, armed or unarmed, so that it leads to the speedier subjection of the enemy.

18. When a commander of a besieged place expels the non-combatants, in order to lessen the number of those who consume his stock of provisions, it is lawful, though an extreme measure, to drive them back, so as to hasten on the surrender.

19. Commanders, whenever admissible, inform the enemy of their intention to bombard a place, so that the non-combatants, and especially the women and children, may be removed before the bombardment commences. But it is no infraction of the common law of war to omit thus to inform the enemy. Surprise may be a necessity.

20. Public war is a state of armed hostility between sovereign nations or governments. It is a law and requisite of civilized existence that men live in political, continuous societies, forming organized units, called states or nations, whose constituents bear, enjoy, and suffer, advance and retrograde together, in peace and in war.

21. The citizen or native of a hostile country is thus an enemy, as one of the constituents of the hostile state or nation, and as such is subjected to the hardships of the war.

22. Nevertheless, as civilization has advanced during the last centuries, so has likewise steadily advanced, especially in war on land, the distinction between the private individual belonging to a hostile country and the hostile country itself, with its men in arms. The principle has been more and more acknowledged that the unarmed citizen is to be spared in person, property, and honor as much as the exigencies of war will admit.

23. Private citizens are no longer murdered, enslaved, or carried off to distant parts, and the inoffensive individual is as little disturbed

in his private relations as the commander of the hostile troops can afford to grant in the overruling demands of a vigorous war.

24. The almost universal rule in remote times was, and continues to be with barbarous armies, that the private individual of the hostile country is destined to suffer every privation of liberty and protection and every disruption of family ties. Protection was, and still is with uncivilized people, the exception.

25. In modern regular wars of the Europeans and their descendants in other portions of the globe, protection of the inoffensive citizen of the hostile country is the rule; privation and disturbance of private relations are the exceptions.

26. Commanding generals may cause the magistrates and civil officers of the hostile country to take the oath of temporary allegiance or an oath of fidelity to their own victorious government or rulers, and they may expel every one who declines to do so. But whether they do so or not, the people and their civil officers owe strict obedience to them as long as they hold sway over the district or country, at the peril of their lives.

27. The law of war can no more wholly dispense with retaliation than can the law of nations, of which it is a branch. Yet civilized nations acknowledge retaliation as the sternest feature of war. A reckless enemy often leaves to his opponent no other means of securing himself against the repetition of barbarous outrage.

28. Retaliation will therefore never be resorted to as a measure of mere revenge, but only as a means of protective retribution, and moreover cautiously and unavoidably—that is to say, retaliation shall only be resorted to after careful inquiry into the real occurrence and the character of the misdeeds that may demand retribution.

Unjust or inconsiderate retaliation removes the belligerents farther and farther from the mitigating rules of regular war, and by rapid steps leads them nearer to the internecine wars of savages.

29. Modern times are distinguished from earlier ages by the existence at one and the same time of many nations and great governments related to one another in close intercourse.

Peace is their normal condition; war is the exception. The ultimate object of all modern war is a renewed state of peace.

The more vigorously wars are pursued the better it is for humanity. Sharp wars are brief.

30. Ever since the formation and coexistence of modern nations, and ever since wars have become great national wars, war has come to be acknowledged not to be its own end, but the means to obtain great ends of state, or to consist in defense against wrong; and no conventional restriction of the modes adopted to injure the enemy is any longer admitted; but the law of war imposes many limitations and restrictions on principles of justice, faith, and honor.

SECTION II.—*Public and private property of the enemy—Protection of persons, and especially of women; of religion, the arts and sciences—Punishment of crimes against the inhabitants of hostile countries.*

31. A victorious army appropriates all public money, seizes all public movable property until further direction by its government, and sequesters for its own benefit or of that of its government all the revenues of real property belonging to the hostile government or nation. The title to such real property remains in abeyance during military occupation, and until the conquest is made complete.

32. A victorious army, by the martial power inherent in the same, may suspend, change, or abolish, as far as the martial power extends, the relations which arise from the services due, according to the existing laws of the invaded country, from one citizen, subject, or native of the same to another.

The commander of the army must leave it to the ultimate treaty of peace to settle the permanency of this change.

33. It is no longer considered lawful—on the contrary, it is held to be a serious breach of the law of war—to force the subjects of the enemy into the service of the victorious government, except the latter should proclaim, after a fair and complete conquest of the hostile country or district, that it is resolved to keep the country, district, or place permanently as its own and make it a portion of its own country.

34. As a general rule, the property belonging to churches, to hospitals, or other establishments of an exclusively charitable character, to establishments of education, or foundations for the promotion of knowledge, whether public schools, universities, academies of learning or observatories, museums of the fine arts, or of a scientific character—such property is not to be considered public property in the sense of paragraph 31; but it may be taxed or used when the public service may require it.

35. Classical works of art, libraries, scientific collections, or precious instruments, such as astronomical telescopes, as well as hospitals, must be secured against all avoidable injury, even when they are contained in fortified places whilst besieged or bombarded.

36. If such works of art, libraries, collections, or instruments belonging to a hostile nation or government, can be removed without injury, the ruler of the conquering state or nation may order them to be seized and removed for the benefit of the said nation. The ultimate ownership is to be settled by the ensuing treaty of peace.

In no case shall they be sold or given away, if captured by the armies of the United States, nor shall they ever be privately appropriated, or wantonly destroyed or injured.

37. The United States acknowledge and protect, in hostile countries occupied by them, religion and morality; strictly private property; the persons of the inhabitants, especially those of women; and the sacredness of domestic relations. Offenses to the contrary shall be rigorously punished.

This rule does not interfere with the right of the victorious invader to tax the people or their property, to levy forced loans, to billet soldiers, or to appropriate property, especially houses, lands, boats or ships, and the churches, for temporary and military uses.

38. Private property, unless forfeited by crimes or by offenses of the owner, can be seized only by way of military necessity, for the support or other benefit of the Army or of the United States.

If the owner has not fled, the commanding officer will cause receipts to be given, which may serve the spoliated owner to obtain indemnity.

39. The salaries of civil officers of the hostile government who remain in the invaded territory, and continue the work of their office, and can continue it according to the circumstances arising out of the war—such as judges, administrative or political officers, officers of city or communal governments—are paid from the public revenue of the invaded territory until the military government has reason wholly or partially to discontinue it. Salaries or incomes connected with purely honorary titles are always stopped.

40. There exists no law or body of authoritative rules of action between hostile armies, except that branch of the law of nature and nations which is called the law and usages of war on land.

41. All municipal law of the ground on which the armies stand, or of the countries to which they belong, is silent and of no effect between armies in the field.

42. Slavery, complicating and confounding the ideas of property (that is, of a thing), and of personality (that is, of humanity), exists according to municipal or local law only. The law of nature and nations has never acknowledged it. The digest of the Roman law enacts the early dictum of the pagan jurist, that "so far as the law of nature is concerned, all men are equal." Fugitives escaping from a country in which they were slaves, villains, or serfs, into another country, have, for centuries past, been held free and acknowledged free by judicial decisions of European countries, even though the municipal law of the country in which the slave had taken refuge acknowledged slavery within its own dominions.

43. Therefore, in a war between the United States and a belligerent which admits of slavery, if a person held in bondage by that belligerent be captured by or come as a fugitive under the protection of the military forces of the United States, such person is immediately entitled to the rights and privileges of a freeman. To return such person into slavery would amount to enslaving a free person, and neither the United States nor any officer under their authority can enslave any human being. Moreover, a person so made free by the law of war is under the shield of the law of nations, and the former owner or State can have, by the law of postliminy, no belligerent lien or claim of service.

44. All wanton violence committed against persons in the invaded country, all destruction of property not commanded by the authorized officer, all robbery, all pillage or sacking, even after taking a place by main force, all rape, wounding, maiming, or killing of such inhabitants, are prohibited under the penalty of death, or such other severe punishment as may seem adequate for the gravity of the offense.

A soldier, officer, or private, in the act of committing such violence, and disobeying a superior ordering him to abstain from it, may be lawfully killed on the spot by such superior.

45. All captures and booty belong, according to the modern law of war, primarily to the government of the captor.

Prize money, whether on sea or land, can now only be claimed under local law.

46. Neither officers nor soldiers are allowed to make use of their position or power in the hostile country for private gain, not even for commercial transactions otherwise legitimate. Offenses to the contrary committed by commissioned officers will be punished with cashiering or such other punishment as the nature of the offense may require; if by soldiers, they shall be punished according to the nature of the offense.

47. Crimes punishable by all penal codes, such as arson, murder, maiming, assaults, highway robbery, theft, burglary, fraud, forgery, and rape, if committed by an American soldier in a hostile country against its inhabitants, are not only punishable as at home, but in all cases in which death is not inflicted the severer punishment shall be preferred.

SECTION III.—*Deserters—Prisoners of war—Hostages—Booty on the battle-field.*

48. Deserters from the American Army, having entered the service of the enemy, suffer death if they fall again into the hands of the United States, whether by capture or being delivered up to the American Army; and if a deserter from the enemy, having taken service in the Army of the United States, is captured by the enemy, and punished by them with death or otherwise, it is not a breach against the law and usages of war, requiring redress or retaliation.

49. A prisoner of war is a public enemy armed or attached to the hostile army for active aid, who has fallen into the hands of the captor, either fighting or wounded, on the field or in the hospital, by individual surrender or by capitulation.

All soldiers, of whatever species of arms; all men who belong to the rising en masse of the hostile country; all those who are attached to the Army for its efficiency and promote directly the object of the war, except such as are hereinafter provided for; all disabled men or officers on the field or elsewhere, if captured; all enemies who have thrown away their arms and ask for quarter, are prisoners of war, and as such exposed to the inconveniences as well as entitled to the privileges of a prisoner of war.

50. Moreover, citizens who accompany an army for whatever purpose, such as sutlers, editors, or reporters of journals, or contractors, if captured, may be made prisoners of war and be detained as such.

The monarch and members of the hostile reigning family, male or female, the chief, and chief officers of the hostile government, its diplomatic agents, and all persons who are of particular and singular use and benefit to the hostile army or its government, are, if captured on belligerent ground, and if unprovided with a safe-conduct granted by the captor's government, prisoners of war.

51. If the people of that portion of an invaded country which is not yet occupied by the enemy, or of the whole country, at the approach of a hostile army, rise, under a duly authorized levy, en masse to resist the invader, they are now treated as public enemies, and, if captured, are prisoners of war.

52. No belligerent has the right to declare that he will treat every captured man in arms of a levy en masse as a brigand or bandit.

If, however, the people of a country, or any portion of the same, already occupied by an army, rise against it, they are violators of the laws of war and are not entitled to their protection.

53. The enemy's chaplains, officers of the medical staff, apothecaries, hospital nurses, and servants, if they fall into the hands of the American Army, are not prisoners of war, unless the commander has reasons to retain them. In this latter case, or if, at their own desire, they are allowed to remain with their captured companions, they are treated as prisoners of war, and may be exchanged if the commander sees fit.

54. A hostage is a person accepted as a pledge for the fulfillment of an agreement concluded between belligerents during the war, or in consequence of a war. Hostages are rare in the present age.

55. If a hostage is accepted, he is treated like a prisoner of war, according to rank and condition, as circumstances may admit.

56. A prisoner of war is subject to no punishment for being a public enemy, nor is any revenge wreaked upon him by the intentional infliction of any suffering, or disgrace, by cruel imprisonment, want of food, by mutilation, death, or any other barbarity.

57. So soon as a man is armed by a sovereign government and takes the soldier's oath of fidelity he is a belligerent; his killing, wounding, or other warlike acts are no individual crimes or offenses. No belligerent has a right to declare that enemies of a certain class, color, or condition, when properly organized as soldiers, will not be treated by him as public enemies.

58. The law of nations knows of no distinction of color, and if an enemy of the United States should enslave and sell any captured persons of their Army, it would be a case for the severest retaliation, if not redressed upon complaint.

The United States cannot retaliate by enslavement; therefore death must be the retaliation for this crime against the law of nations.

59. A prisoner of war remains answerable for his crimes committed against the captor's army or people, committed before he was captured, and for which he has not been punished by his own authorities.

All prisoners of war are liable to the infliction of retaliatory measures.

60. It is against the usage of modern war to resolve, in hatred and revenge, to give no quarter. No body of troops has the right to declare that it will not give, and therefore will not expect, quarter; but a commander is permitted to direct his troops to give no quarter, in great straits, when his own salvation makes it impossible to cumber himself with prisoners.

61. Troops that give no quarter have no right to kill enemies already disabled on the ground, or prisoners captured by other troops.

62. All troops of the enemy known or discovered to give no quarter in general, or to any portion of the Army, receive none.

63. Troops who fight in the uniform of their enemies, without any plain, striking, and uniform mark of distinction of their own, can expect no quarter.

64. If American troops capture a train containing uniforms of the enemy, and the commander considers it advisable to distribute them for use among his men, some striking mark or sign must be adopted to distinguish the American soldier from the enemy.

65. The use of the enemy's national standard, flag, or other emblem of nationality, for the purpose of deceiving the enemy in battle, is an act of perfidy by which they lose all claim to the protection of the laws of war.

66. Quarter having been given to an enemy by American troops, under a misapprehension of his true character, he may, nevertheless, be ordered to suffer death if, within three days after the battle, it be discovered that he belongs to a corps which gives no quarter.

67. The law of nations allows every sovereign government to make war upon another sovereign State, and, therefore, admits of no rules or laws different from those of regular warfare, regarding the treatment of prisoners of war, although they may belong to the army of a government which the captor may consider as a wanton and unjust assailant.

68. Modern wars are not internecine wars, in which the killing of the enemy is the object. The destruction of the enemy in modern war, and, indeed, modern war itself, are means to obtain that object of the belligerent which lies beyond the war.

Unnecessary or revengeful destruction of life is not lawful.

69. Outposts, sentinels, or pickets are not to be fired upon, except to drive them in, or when a positive order, special or general, has been issued to that effect.

70. The use of poison in any manner, be it to poison wells, or food, or arms, is wholly excluded from modern warfare. He that uses it puts himself out of the pale of the law and usages of war.

71. Whoever intentionally inflicts additional wounds on an enemy already wholly disabled, or kills such an enemy, or who orders or encourages soldiers to do so, shall suffer death, if duly convicted, whether he belongs to the Army of the United States, or is an enemy captured after having committed his misdeed.

72. Money and other valuables on the person of a prisoner, such as watches or jewelry, as well as extra clothing, are regarded by the American Army as the private property of the prisoner, and the appropriation of such valuables or money is considered dishonorable, and is prohibited.

Nevertheless, if large sums are found upon the persons of prisoners, or in their possession, they shall be taken from them, and the surplus, after providing for their own support, appropriated for the use of the Army, under the direction of the commander, unless otherwise ordered by the Government. Nor can prisoners claim, as private property, large sums found and captured in their train, although they have been placed in the private luggage of the prisoners.

73. All officers, when captured, must surrender their side-arms to the captor. They may be restored to the prisoner in marked cases, by the commander, to signalize admiration of his distinguished bravery, or approbation of his humane treatment of prisoners before his capture. The captured officer to whom they may be restored cannot wear them during captivity.

74. A prisoner of war, being a public enemy, is the prisoner of the Government and not of the captor. No ransom can be paid by a prisoner of war to his individual captor, or to any officer in command. The Government alone releases captives, according to rules prescribed by itself.

75. Prisoners of war are subject to confinement or imprisonment such as may be deemed necessary on account of safety, but they are to be subjected to no other intentional suffering or indignity. The confinement and mode of treating a prisoner may be varied during his captivity according to the demands of safety.

76. Prisoners of war shall be fed upon plain and wholesome food, whenever practicable, and treated with humanity.

They may be required to work for the benefit of the captor's government, according to their rank and condition.

77. A prisoner of war who escapes may be shot, or otherwise killed, in his flight; but neither death nor any other punishment shall be inflicted upon him simply for his attempt to escape, which the law of war does not consider a crime. Stricter means of security shall be used after an unsuccessful attempt at escape.

If, however, a conspiracy is discovered, the purpose of which is a united or general escape, the conspirators may be rigorously punished, even with death; and capital punishment may also be inflicted upon prisoners of war discovered to have plotted rebellion against the authorities of the captors, whether in union with fellow-prisoners or other persons.

78. If prisoners of war, having given no pledge nor made any promise on their honor, forcibly or otherwise escape, and are captured again in battle, after having rejoined their own army, they shall not be punished for their escape, but shall be treated as simple prisoners of war, although they will be subjected to stricter confinement.

79. Every captured wounded enemy shall be medically treated, according to the ability of the medical staff.

80. Honorable men, when captured, will abstain from giving to the enemy information concerning their own army, and the modern law of war permits no longer the use of any violence against prisoners in order to extort the desired information, or to punish them for having given false information.

SECTION IV.—*Partisans—Armed enemies not belonging to the hostile army—Scouts—Armed prowlers—War-rebels.*

81. Partisans are soldiers armed and wearing the uniform of their army, but belonging to a corps which acts detached from the main body for the purpose of making inroads into the territory occupied by the enemy. If captured they are entitled to all the privileges of the prisoner of war.

82. Men, or squads of men, who commit hostilities, whether by fighting, or inroads for destruction or plunder, or by raids of any kind, without commission, without being part and portion of the organized hostile army, and without sharing continuously in the war, but who do so with intermitting returns to their homes and avocations, or with the occasional assumption of the semblance of peaceful pursuits, divesting themselves of the character or appearance of soldiers—such men, or squads of men, are not public enemies, and therefore, if captured, are not entitled to the privileges of prisoners of war, but shall be treated summarily as highway robbers or pirates.

83. Scouts or single soldiers, if disguised in the dress of the country, or in the uniform of the army hostile to their own, employed in obtaining information, if found within or lurking about the lines of the captor, are treated as spies, and suffer death.

84. Armed prowlers, by whatever names they may be called, or persons of the enemy's territory, who steal within the lines of the hostile army for the purpose of robbing, killing, or of destroying bridges, roads, or canals, or of robbing or destroying the mail, or of cutting the telegraph wires, are not entitled to the privileges of the prisoner of war.

85. War-rebels are persons within an occupied territory who rise in arms against the occupying or conquering army, or against the authorities established by the same. If captured, they may suffer death, whether they rise singly, in small or large bands, and whether called upon to do so by their own, but expelled, government or not. They are not prisoners of war; nor are they if discovered and secured before their conspiracy has matured to an actual rising or to armed violence.

SECTION V.—*Safe-conduct—Spies—War-traitors—Captured messengers—Abuse of the flag of truce.*

86. All intercourse between the territories occupied by belligerent armies, whether by traffic, by letter, by travel, or in any other way, ceases. This is the general rule, to be observed without special proclamation.

Exceptions to this rule, whether by safe-conduct or permission to trade on a small or large scale, or by exchanging mails, or by travel from one territory into the other, can take place only according to agreement approved by the Government or by the highest military authority.

Contraventions of this rule are highly punishable.

87. Ambassadors, and all other diplomatic agents of neutral powers accredited to the enemy may receive safe-conducts through the territories occupied by the belligerents, unless there are military reasons to the contrary, and unless they may reach the place of their destination conveniently by another route. It implies no international affront if the safe-conduct is declined. Such passes are usually given by the supreme authority of the state and not by subordinate officers.

88. A spy is a person who secretly, in disguise or under false pretense, seeks information with the intention of communicating it to the enemy.

The spy is punishable with death by hanging by the neck, whether or not he succeed in obtaining the information or in conveying it to the enemy.

89. If a citizen of the United States obtains information in a legitimate manner and betrays it to the enemy, be he a military or civil officer, or a private citizen, he shall suffer death.

90. A traitor under the law of war, or a war-traitor, is a person in a place or district under martial law who, unauthorized by the military commander, gives information of any kind to the enemy, or holds intercourse with him.

91. The war-traitor is always severely punished. If his offense consists in betraying to the enemy anything concerning the condition, safety, operations, or plans of the troops holding or occupying the place or district, his punishment is death.

92. If the citizen or subject of a country or place invaded or conquered gives information to his own government, from which he is separated by the hostile army, or to the army of his government, he is a war-traitor, and death is the penalty of his offense.

93. All armies in the field stand in need of guides, and impress them if they cannot obtain them otherwise.

94. No person having been forced by the enemy to serve as guide is punishable for having done so.

95. If a citizen of a hostile and invaded district voluntarily serves as a guide to the enemy, or offers to do so, he is deemed a war-traitor and shall suffer death.

96. A citizen serving voluntarily as a guide against his own country commits treason, and will be dealt with according to the law of his country.

97. Guides, when it is clearly proved that they have misled intentionally, may be put to death.

98. All unauthorized or secret communication with the enemy is considered treasonable by the law of war.

Foreign residents in an invaded or occupied territory or foreign visitors in the same can claim no immunity from this law. They may communicate with foreign parts or with the inhabitants of the hostile country, so far as the military authority permits, but no further. Instant expulsion from the occupied territory would be the very least punishment for the infraction of this rule.

99. A messenger carrying written dispatches or verbal messages from one portion of the army or from a besieged place to another portion of the same army or its government, if armed, and in the uniform of his army, and if captured while doing so in the territory occupied by the enemy, is treated by the captor as a prisoner of war. If not in uniform nor a soldier, the circumstances connected with his capture must determine the disposition that shall be made of him.

100. A messenger or agent who attempts to steal through the territory occupied by the enemy to further in any manner the interests of

the enemy, if captured, is not entitled to the privileges of the prisoner of war, and may be dealt with according to the circumstances of the case.

101. While deception in war is admitted as a just and necessary means of hostility, and is consistent with honorable warfare, the common law of war allows even capital punishment for clandestine or treacherous attempts to injure an enemy, because they are so dangerous, and it is so difficult to guard against them.

102. The law of war, like the criminal law regarding other offenses, makes no difference on account of the difference of sexes, concerning the spy, the war-traitor, or the war-rebel.

103. Spies, war-traitors, and war-rebels are not exchanged according to the common law of war. The exchange of such persons would require a special cartel, authorized by the Government, or, at a great distance from it, by the chief commander of the army in the field.

104. A successful spy or war-traitor, safely returned to his own army, and afterward captured as an enemy, is not subject to punishment for his acts as a spy or war-traitor, but he may be held in closer custody as a person individually dangerous.

SECTION VI.—*Exchange of prisoners—Flags of truce—Flags of protection.*

105. Exchanges of prisoners take place—number for number—rank for rank—wounded for wounded—with added condition for added condition—such, for instance, as not to serve for a certain period.

106. In exchanging prisoners of war, such numbers of persons of inferior rank may be substituted as an equivalent for one of superior rank as may be agreed upon by cartel, which requires the sanction of the Government, or of the commander of the army in the field.

107. A prisoner of war is in honor bound truly to state to the captor his rank; and he is not to assume a lower rank than belongs to him, in order to cause a more advantageous exchange, nor a higher rank, for the purpose of obtaining better treatment.

Offenses to the contrary have been justly punished by the commanders of released prisoners, and may be good cause for refusing to release such prisoners.

108. The surplus number of prisoners of war remaining after an exchange has taken place is sometimes released either for the payment of a stipulated sum of money, or, in urgent cases, of provision, clothing, or other necessaries.

Such arrangement, however, requires the sanction of the highest authority.

109. The exchange of prisoners of war is an act of convenience to both belligerents. If no general cartel has been concluded, it cannot be demanded by either of them. No belligerent is obliged to exchange prisoners of war.

A cartel is voidable as soon as either party has violated it.

110. No exchange of prisoners shall be made except after complete capture, and after an accurate account of them, and a list of the captured officers, has been taken.

111. The bearer of a flag of truce cannot insist upon being admitted. He must always be admitted with great caution. Unnecessary frequency is carefully to be avoided.

112. If the bearer of a flag of truce offer himself during an engagement, he can be admitted as a very rare exception only. It is no breach of good faith to retain such flag of truce, if admitted during

the engagement. Firing is not required to cease on the appearance of a flag of truce in battle.

113. If the bearer of a flag of truce, presenting himself during an engagement, is killed or wounded, it furnishes no ground of complaint whatever.

114. If it be discovered, and fairly proved, that a flag of truce has been abused for surreptitiously obtaining military knowledge, the bearer of the flag thus abusing his sacred character is deemed a spy.

So sacred is the character of a flag of truce, and so necessary is its sacredness, that while its abuse is an especially heinous offense, great caution is requisite, on the other hand, in convicting the bearer of a flag of truce as a spy.

115. It is customary to designate by certain flags (usually yellow) the hospitals in places which are shelled, so that the besieging enemy may avoid firing on them. The same has been done in battles when hospitals are situated within the field of the engagement.

116. Honorable belligerents often request that the hospitals within the territory of the enemy may be designated, so that they may be spared.

An honorable belligerent allows himself to be guided by flags or signals of protection as much as the contingencies and the necessities of the fight will permit.

117. It is justly considered an act of bad faith, of infamy or fiendishness, to deceive the enemy by flags of protection. Such act of bad faith may be good cause for refusing to respect such flags.

118. The besieging belligerent has sometimes requested the besieged to designate the buildings containing collections of works of art, scientific museums, astronomical observatories, or precious libraries, so that their destruction may be avoided as much as possible.

SECTION VII.—*The parole.*

119. Prisoners of war may be released from captivity by exchange, and, under certain circumstances, also by parole.

120. The term parole designates the pledge of individual good faith and honor to do, or to omit doing, certain acts after he who gives his parole shall have been dismissed, wholly or partially, from the power of the captor.

121. The pledge of the parole is always an individual, but not a private act.

122. The parole applies chiefly to prisoners of war whom the captor allows to return to their country, or to live in greater freedom within the captor's country or territory, on conditions stated in the parole.

123. Release of prisoners of war by exchange is the general rule; release by parole is the exception.

124. Breaking the parole is punished with death when the person breaking the parole is captured again.

Accurate lists, therefore, of the paroled persons must be kept by the belligerents.

125. When paroles are given and received there must be an exchange of two written documents, in which the name and rank of the paroled individuals are accurately and truthfully stated.

126. Commissioned officers only are allowed to give their parole, and they can give it only with the permission of their superior, as long as a superior in rank is within reach.

127. No non-commissioned officer or private can give his parole except through an officer. Individual paroles not given through an

officer are not only void, but subject the individuals giving them to the punishment of death as deserters. The only admissible exception is where individuals, properly separated from their commands, have suffered long confinement without the possibility of being paroled through an officer.

128. No paroling on the battle-field; no paroling of entire bodies of troops after a battle; and no dismissal of large numbers of prisoners, with a general declaration that they are paroled, is permitted, or of any value.

129. In capitulations for the surrender of strong places or fortified camps the commanding officer, in cases of urgent necessity, may agree that the troops under his command shall not fight again during the war unless exchanged.

130. The usual pledge given in the parole is not to serve during the existing war unless exchanged.

This pledge refers only to the active service in the field against the paroling belligerent or his allies actively engaged in the same war. These cases of breaking the parole are patent acts, and can be visited with the punishment of death; but the pledge does not refer to internal service, such as recruiting or drilling the recruits, fortifying places not besieged, quelling civil commotions, fighting against belligerents unconnected with the paroling belligerents, or to civil or diplomatic service for which the paroled officer may be employed.

131. If the government does not approve of the parole, the paroled officer must return into captivity, and should the enemy refuse to receive him he is free of his parole.

132. A belligerent government may declare, by a general order, whether it will allow paroling and on what conditions it will allow it. Such order is communicated to the enemy.

133. No prisoner of war can be forced by the hostile government to parole himself, and no government is obliged to parole prisoners of war or to parole all captured officers, if it paroles any. As the pledging of the parole is an individual act, so is paroling, on the other hand, an act of choice on the part of the belligerent.

134. The commander of an occupying army may require of the civil officers of the enemy, and of its citizens, any pledge he may consider necessary for the safety or security of his army, and upon their failure to give it he may arrest, confine, or detain them.

SECTION VIII.—*Armistice—Capitulation.*

135. An armistice is the cessation of active hostilities for a period agreed between belligerents. It must be agreed upon in writing and duly ratified by the highest authorities of the contending parties.

136. If an armistice be declared without conditions it extends no further than to require a total cessation of hostilities along the front of both belligerents.

If conditions be agreed upon, they should be clearly expressed, and must be rigidly adhered to by both parties. If either party violates any express condition, the armistice may be declared null and void by the other.

137. An armistice may be general, and valid for all points and lines of the belligerents; or special—that is, referring to certain troops or certain localities only.

An armistice may be concluded for a definite time; or for an indefinite time, during which either belligerent may resume hostilities on giving the notice agreed upon to the other.

138. The motives which induce the one or the other belligerent to conclude an armistice, whether it be expected to be preliminary to a treaty of peace, or to prepare during the armistice for a more vigorous prosecution of the war, does in no way affect the character of the armistice itself.

139. An armistice is binding upon the belligerents from the day of the agreed commencement; but the officers of the armies are responsible from the day only when they receive official information of its existence.

140. Commanding officers have the right to conclude armistices binding on the district over which their command extends, but such armistice is subject to the ratification of the superior authority, and ceases so soon as it is made known to the enemy that the armistice is not ratified, even if a certain time for the elapsing between giving notice of cessation and the resumption of hostilities should have been stipulated for.

141. It is incumbent upon the contracting parties of an armistice to stipulate what intercourse of persons or traffic between the inhabitants of the territories occupied by the hostile armies shall be allowed, if any.

If nothing is stipulated the intercourse remains suspended, as during actual hostilities.

142. An armistice is not a partial or a temporary peace; it is only the suspension of military operations to the extent agreed upon by the parties.

143. When an armistice is concluded between a fortified place and the army besieging it, it is agreed by all the authorities on this subject that the besieger must cease all extension, perfection, or advance of his attacking works as much so as from attacks by main force.

But as there is a difference of opinion among martial jurists whether the besieged have a right to repair breaches or to erect new works of defense within the place during an armistice, this point should be determined by express agreement between the parties.

144. So soon as a capitulation is signed the capitulator has no right to demolish, destroy, or injure the works, arms, stores, or ammunition in his possession, during the time which elapses between the signing and the execution of the capitulation, unless otherwise stipulated in the same.

145. When an armistice is clearly broken by one of the parties the other party is released from all obligation to observe it.

146. Prisoners taken in the act of breaking an armistice must be treated as prisoners of war, the officer alone being responsible who gives the order for such a violation of an armistice. The highest authority of the belligerent aggrieved may demand redress for the infraction of an armistice.

147. Belligerents sometimes conclude an armistice while their plenipotentiaries are met to discuss the conditions of a treaty of peace; but plenipotentiaries may meet without a preliminary armistice; in the latter case the war is carried on without any abatement.

SECTION IX.—*Assassination.*

148. The law of war does not allow proclaiming either an individual belonging to the hostile army, or a citizen, or a subject of the hostile

government an outlaw, who may be slain without trial by any captor, any more than the modern law of peace allows such international outlawry; on the contrary, it abhors such outrage. The sternest retaliation should follow the murder committed in consequence of such proclamation, made by whatever authority. Civilized nations look with horror upon offers of rewards for the assassination of enemies as relapses into barbarism.

SECTION X.—*Insurrection—Civil war—Rebellion.*

149. Insurrection is the rising of people in arms against their government, or a portion of it, or against one or more of its laws, or against an officer or officers of the government. It may be confined to mere armed resistance, or it may have greater ends in view.

150. Civil war is war between two or more portions of a country or state, each contending for the mastery of the whole, and each claiming to be the legitimate government. The term is also sometimes applied to war of rebellion, when the rebellious provinces or portions of the state are contiguous to those containing the seat of government.

151. The term rebellion is applied to an insurrection of large extent, and is usually a war between the legitimate government of a country and portions of provinces of the same who seek to throw off their allegiance to it and set up a government of their own.

152. When humanity induces the adoption of the rules of regular war toward rebels, whether the adoption is partial or entire, it does in no way whatever imply a partial or complete acknowledgment of their government, if they have set up one, or of them, as an independent or sovereign power. Neutrals have no right to make the adoption of the rules of war by the assailed government toward rebels the ground of their own acknowledgment of the revolted people as an independent power.

153. Treating captured rebels as prisoners of war, exchanging them, concluding of cartels, capitulations, or other warlike agreements with them; addressing officers of a rebel army by the rank they may have in the same; accepting flags of truce; or, on the other hand, proclaiming martial law in their territory, or levying war taxes or forced loans, or doing any other act sanctioned or demanded by the law and usages of public war between sovereign belligerents, neither proves nor establishes an acknowledgment of the rebellious people, or of the government which they may have erected, as a public or sovereign power. Nor does the adoption of the rules of war toward rebels imply an engagement with them extending beyond the limits of these rules. It is victory in the field that ends the strife and settles the future relations between the contending parties.

154. Treating in the field the rebellious enemy according to the law and usages of war has never prevented the legitimate government from trying the leaders of the rebellion or chief rebels for high treason, and from treating them accordingly, unless they are included in a general amnesty.

155. All enemies in regular war are divided into two general classes—that is to say, into combatants and non-combatants, or unarmed citizens of the hostile government.

The military commander of the legitimate government, in a war of rebellion, distinguishes between the loyal citizen in the revolted portion of the country and the disloyal citizen. The disloyal citizens may further be classified into those citizens known to sympathize with

the rebellion without positively aiding it, and those who, without taking up arms, give positive aid and comfort to the rebellious enemy without being bodily forced thereto.

156. Common justice and plain expediency require that the military commander protect the manifestly loyal citizens in revolted territories against the hardships of the war as much as the common misfortune of all war admits.

The commander will throw the burden of the war, as much as lies within his power, on the disloyal citizens, of the revolted portion or province, subjecting them to a stricter police than the non-combatant enemies have to suffer in regular war; and if he deems it appropriate, or if his government demands of him that every citizen shall, by an oath of allegiance, or by some other manifest act, declare his fidelity to the legitimate government, he may expel, transfer, imprison, or fine the revolted citizens who refuse to pledge themselves anew as citizens obedient to the law and loyal to the government.

Whether it is expedient to do so, and whether reliance can be placed upon such oaths, the commander or his government have the right to decide.

157. Armed or unarmed resistance by citizens of the United States against the lawful movements of their troops is levying war against the United States, and is therefore treason.

WAR DEPARTMENT,
Washington City, April 24, 1863.

Maj. Gen. A. E. BURNSIDE,
Commanding Department of the Ohio, Cincinnati:

Your dispatch in relation to the organization of a new corps has been received, and directions given to issue the order immediately according to your request.

EDWIN M. STANTON,
Secretary of War.

HEADQUARTERS FIFTEENTH ARMY CORPS,
Camp before Vicksburg, April 24, 1863.

General L. THOMAS,
Adjutant-General U. S. Army, Milliken's Bend:

SIR: If my judgment do not err, you have the power to save this army from a disintegration more fatal than defeat.

General Orders, No. 86, of this year, from the War Department, if literally enforced, will do more to destroy this army than any single act of war.

You will pardon so strong an expression, when I illustrate my meaning, and if I am in error, shall rejoice to know it.

The authority to consolidate reduced regiments was conferred on the President by section 19 of the act approved March 3, 1863, but was discretionary, admitting of general and exceptional application.

That act of Congress known as the "conscript bill," though containing many other provisions, was chiefly designed to organize the entire available military strength of the nation, and provide for its being called out to the assistance of the armies now in the field.

These armies are composed in great part of regiments which, by death in battle, by disease, and discharged for original or developed causes, have fallen far below the minimum standard of law, and many even below "one-half the maximum strength." Yet all these regiments, as a general rule, have undergone a necessary and salutary purgation.

Field officers have acquired a knowledge which they did not possess when first called to arms by the sudden breaking out of war; they have learned how to drill, to organize, to provide for, and conduct their regiments. Captains, lieutenants, sergeants, and corporals have all been educated in the dear, but necessary, school of experience, and begin to have a knowledge which would enable them to make good companies had they the proper number of privates.

We had all supposed the conscript law would furnish these privates, and that at last we would have an army with a due proportion of all grades.

The receipt of General Orders, No. 86, dispels this illusion, and we must now absolutely discharge the colonels and majors and assistant surgeons of all regiments below the standard of "one-half the maximum." This will at once take the very life out of our army.

The colonels and majors of our reduced regiments are generally the best men, and are the fruit of two years hard and constant labor.

Then the ten companies must be reduced to five, and of course there will be discharged in each regiment—field and staff, 3; captains, 5; lieutenants, 10; sergeants, 20; corporals, 40; aggregate, 78; so that each regiment will be reduced in strength by seventy-eight of its chosen and best men.

Extend this to the whole army, for all the army is now, or must soon fall below the standard, and the result will be a very heavy loss, and that confined to the best men.

Then after regiments are made battalions, and again are restored to their regimental organization, will come in a new set of colonels, majors, captains, &c., and what guarantee have we but that the same old process of costly elimination will be gone over?

We know from the mammoth size of the army that the appointing power must be given to Governors of States, who, however patriotic, rarely appreciate the fact that to handle and discipline troops in the field requires a knowledge of the principles of war different from those that manage county canvasses. A new set of colonels and majors, and a strong infusion of new captains and lieutenants, will paralyze the new organization and will lose to us other years of war.

This army is now in about the right condition to be re-enforced by recruits—privates; but if this consolidation is effected, I have no hesitation in saying that my army corps is and will be paralyzed by the change. It will be all loss and no gain. Regiments will lose their identity, their pride, their esprit.

If there be no intention to enlarge the present volunteer army, I admit that consolidation is economy and right, but when we all feel that the armies must be filled up, it does seem strange we should begin by taking out of our small but tried regiments some of the very best material in them, especially their colonels.

I do hope General Thomas will manage to postpone the enforcement of this order till its effect can be better understood.

With great respect, &c.,

W. T. SHERMAN,
Major-General, Commanding.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., April 24, 1863.

To His Excellency Governor HORATIO SEYMOUR,
Governor of New York:

SIR: With a view to uniform and harmonious execution of the enrollment act, it has been deemed best to assign an officer of this department of rank to duty at the capital of New York. He will be instructed to confer with Your Excellency, to superintend the operations of the provost-marshals and boards of enrollment in the several districts of the State, excepting the first nine, to secure from the provost-marshals and boards and submit to the State executive such rolls and reports as may be deemed necessary for the files of the State, and to prepare from the State records and transmit to the provost-marshals and boards of enrollment such information placed at his disposal by the State authorities as may be necessary or useful to them in the performance of the duties assigned them. With similar views and for a like purpose it has been decided to assign an officer to the city of New York to exercise the same functions for the first nine Congressional districts of your State.

In accordance with the foregoing, Maj. Frederick Townsend, Eighteenth U. S. Infantry, has been directed to take post at Albany, and Col. Robert Nugent, Sixty-ninth New York Volunteers, at New York City.

These are officers of superior ability and gentlemen of attainments, and it is hoped their assignment will prove agreeable to Your Excellency.

The War Department will be pleased if Your Excellency will communicate fully with them and secure as far as possible for all officers appointed under the enrollment act the co-operation of the civil officers of your State.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., April 24, 1863.

To His Excellency Governor A. G. CURTIN,
Governor of Pennsylvania:

SIR: With a view to uniform and harmonious execution of the enrollment act, it has been deemed best to assign an officer of this department of rank to duty at the capital of each State. He will be instructed to confer with the Governor, to superintend the operations of the provost-marshals and boards of enrollment in the several districts of the State, to secure from the provost-marshals and boards and submit to the State executive such rolls and reports as may be deemed necessary for the files of the State, and to prepare from the State records and transmit to the provost-marshals and boards of enrollment such information placed at his disposal by the State authorities as may be necessary or useful to provost-marshals or boards of enrollment in the performance of the duties assigned them.

In accordance with the foregoing, Lieut. Col. Charles F. Ruff, Third U. S. Cavalry, has been directed to take post at Harrisburg. He is an officer of superior ability and a gentleman of attainments, and it is hoped his assignment will prove agreeable to Your Excellency.

The War Department will be pleased if Your Excellency will communicate freely with him and secure, as far as possible, for all officers appointed under the enrollment act the co-operation of the civil officers of your State.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

MEMORANDUM.—Letters of advice similar to foregoing sent to Governors of other States.

GENERAL ORDERS, No. 102. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, April 25, 1863.*

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II. When transportation has been furnished under General Orders, No. 121, of 1862, the accounts therefor will be settled, no matter whether the mode of transportation be by railroad, steam-boat, stage, wagon, or otherwise.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, April 25, 1863.

Col. EDWARD A. WILD,
Thirty-fifth Massachusetts Volunteers:

(Under cover to His Excellency the Governor of Massachusetts.)

SIR: I am directed by the Secretary of War to inform you that your authority of date the 14th [13th] instant, to raise a brigade of volunteer infantry, is under the condition that the organization shall be conducted by successive regiments—that is, the first regiment must be complete in all respects before the second one is commenced, and thus on until the recruitment is finished.

I am, colonel, very respectfully, your obedient servant,

THOMAS M. VINCENT,
Assistant Adjutant-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., April 25, 1863.

Maj. FREDERICK TOWNSEND,
Eighteenth U. S. Infantry, Albany, N. Y.:

MAJOR: I have the honor to inclose herewith an order assigning you to duty as acting assistant provost-marshal-general for the State of New York, excepting the first nine Congressional districts; also a copy of a letter addressed to His Excellency Governor Seymour.* Copies of the Regulations for the Government of the Provost-Marshal-General's Department will be forwarded within a few days.

You are assigned to duty by virtue of your commission as major in the Eighteenth Regiment of Infantry, in the service of the United States, and have the power belonging to it; but as there is no law creating the position of provost-marshals for States, you will act for the districts mentioned in the State of New York in the name of the

*See April 24, p. 166.

Provost-Marshal-General and as his assistant. You will be exclusively under the orders of this department; yet, while the Governor of New York has no control over you, you will be required to acquaint yourself with his views and wishes, and give them due weight in determining as to the best interests of the General Government, of which you are the representative. To this end you will use all proper means to gain and to retain the confidence and good will of the Governor and his State officers. You will endeavor by all means in your power to secure for the execution of the enrollment act the aid and hearty co-operation of His Excellency the Governor and of the civil officers in his State, as also of the people. Instructions in detail will be sent to you from time to time as the requirements of the service of the Provost-Marshal-General's Department may develop themselves. You are authorized to establish a suitable office and employ such clerical assistance as may be absolutely necessary, conforming in principle with the rules governing provost-marshals in like cases.

You will make it your first duty to present for the consideration of the Provost-Marshal-General all important questions arising within your jurisdiction, with such remarks as will serve fully to explain them, and with such recommendations as you may consider best calculated for the benefit of the service. The State of New York has failed to furnish her full quota of men under the President's calls of July 2 and August 4, 1862, for 600,000 men. You will at once calculate, by reference to the State records, what proportion of the deficiency is due to each district under your charge in the State and inform the department of the result at the earliest day practicable. The actual deficiency from the districts is not sought, but the proportion of it from each district is required, taking for the calculation such information in regard to the actual deficiency as the State records may give you.

The enrollment lately made by the State will probably be useful to the boards in the different districts under your control, and you are therefore desired to have prepared at once and transmitted to them, respectively, such extracts from the State enrollment lists as will facilitate their business.

You will also inform yourself, as far as practicable, of the localities, numbers, and strength of the enemies of the Government, if there be any, in the districts under your charge in the State, and you will ascertain the location and strength of the military forces and of all enrolled, organized, or partially organized parties friendly to the Government within the same limits.

You will communicate fully and frequently upon the condition of affairs in the different districts under your superintendence, and you will take especial care to ascertain and report to this office all cases wherein provost-marshals, surgeons, commissioners, enrolling officers, or other employés of this department, shall have proved themselves unworthy or incompetent to fill the positions to which they have been appointed.

The information necessary to this end will be obtained both by your own personal examination and by the assistance of officers to be detailed under your orders as inspectors for this department in your portion of the State.

I am, major, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

(Similar letter to Lieut. Col. C. F. Ruff, for Pennsylvania.)

MEMORANDUM.—The following-named parties received similar letters to the above, with the letter of advice to the Governors of the States to which they were designated, viz: Maj. Thomas Duncan, State of Iowa, with copy of letter to Governor S. J. Kirkwood; Maj. Bennett H. Hill, Wheeling, Va., State of Michigan, with copy of letter to Governor Austin Blair; Maj. Francis N. Clarke, Boston, State of Massachusetts, with copy of letter to Governor John A. Andrew; Maj. John W. T. Gardiner, State of Maine, with copy of letter to Governor Abner Coburn; Capt. Anderson D. Nelson, Saint Paul, Minn., with copy of letter to Governor Alexander Ramsey; Maj. Joseph Darr, Wheeling, Va., with copy of letter to Governor Francis H. Peirpoint; Lieut. Col. Charles S. Lovell, Madison, Wis., with copy of letter to Governor Edward Salomon; Capt. William Silvey, Providence, R. I., with copy of letter to Governor ——; Lieut. Col. Robert C. Buchanan, Trenton, N. J., with copy of letter to Governor Joel Parker; Lieut. Col. James Oakes, Detroit, Mich., with copy of letter to Governor R. Yates, of Illinois; Col. Edwin A. Parrott, Columbus, Ohio, with copy of letter to Governor David Tod; Col. Conrad Baker, Indianapolis, Ind., with copy of letter to Governor O. P. Morton.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., April 25, 1863.

His Honor GEORGE OPDYKE,
Mayor of the City of New York:

SIR: With a view to uniform and harmonious execution of the enrollment act, it has been deemed best to assign an officer of this department of rank to duty at the city of New York. He will be instructed to confer with the Governor and yourself; to superintend the operations of the provost-marshals in the first nine districts of the State; to secure from the provost-marshals and boards in these districts and submit to the State Executive such rolls and reports as may be deemed necessary for the files of the State, and to prepare from the State records and transmit to the provost-marshals and boards of enrollment in these districts such information placed at his disposal by the State authorities as may be necessary or useful to them in the performance of the duties assigned them. In accordance with the foregoing, Col. Robert Nugent, Sixty-ninth New York Volunteers, has been directed to take post at New York City. He is an officer of superior ability and a gentleman of attainments, and it is hoped his assignment will prove agreeable to Your Honor.

The War Department will be pleased if Your Honor will communicate freely with him and secure as far as possible for all officers appointed under the enrollment act in these districts the co-operation of the civil officers of your city.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., April 27, 1863.

SIMEON DRAPER, Esq.,
New York City, N. Y.:

SIR: The necessities of the service require that an officer of rank in the line of the Army should be detailed as acting assistant provost-marshal-general to perform the duties of that office and superintend

the enrollment in the first nine Congressional districts of New York. The Secretary of War has detailed Col. Robert Nugent, of the Sixty-ninth Regiment of New York Volunteers, for this purpose. Colonel Nugent will repair to New York and take post within a few days. He will call upon you on his arrival, and I will thank you to give him such information as your records may contain, and to offer him such suggestions as your experience may prompt.

In relieving you from the onerous and responsible duties which you have been so long performing, the Secretary desires me to express his appreciation of the zeal and ability displayed by you in their execution, and to assure you of the confidence which your official intercourse with the War Department has inspired.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

GENERAL ORDERS, No. 105. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, April 28, 1863.*

The organization of an invalid corps is hereby authorized.

This corps shall consist of companies, and if it shall hereafter be thought best, of battalions.

The companies shall be made up from the following sources, viz:

First. By taking those officers and enlisted men of commands now in the field (whether actually present or temporarily absent) who, from wounds received in action or disease contracted in the line of duty, are unfit for field service, but are still capable of effective garrison duty, or such other light duty as may be required of an invalid corps. Regimental commanders shall at once make out, from information received from their medical and company officers, and from their own knowledge, rolls (according to the form furnished) of the names of all the officers and enlisted men under their commands who fulfill the following conditions, viz:

1. That they are unfit for active field service on account of wounds or disease contracted in the line of duty; this fact being certified by a medical officer in the service, after personal examination.

2. That they are fit for garrison duty; this fact being likewise certified by the medical officer, as above, after personal examination.

3. That they are, in the opinion of their commanding officers, meritorious and deserving.

These rolls shall be certified by the examining surgeon and regimental commander, and transmitted, through the regular channels of military correspondence, to the Provost-Marshal-General of the United States.

The regimental commander shall enter in the column of remarks, opposite each officer's name on the roll, a statement as to the general character of the officer for intelligence, industry, sobriety, and attention to duty; and all intermediate commanders shall indorse thereon such facts as they may possess in the case, or if they have none, they shall state how far they are willing to indorse the opinion of the officer or officers making the recommendation. Similar rolls shall be forwarded from time to time, whenever the number of men fulfilling the conditions enumerated or the exigencies of the service may render it expedient.

Second. By taking those officers and enlisted men still in service and borne on the rolls, but who are absent from duty, in hospitals or

convalescent camps, or are otherwise under the control of medical officers. In these cases the medical officer in attendance shall prepare the rolls according to form, entering the names of officers and men from the same regiment on a roll by themselves, and send them, with the certificate of the surgeon, duly signed, to the proper regimental commander, who will forward them, as heretofore specified, subject to the same conditions and requirements. If, in any case, the regimental commander shall think an officer unfit, in point of character, to continue in the service of the Invalid Corps, though disabled and certified by the surgeon, he will state his objection in the column of remarks, and note the exception before signing the certificate. If any officer or enlisted man now in the service, but absent and beyond the reach of a medical officer in charge of a hospital or convalescent camp, desires to enter this corps, he will take the course indicated below for those who have been honorably discharged the service.

Third. By accepting those officers and enlisted men who have been honorably discharged on account of wounds or disease contracted in the line of duty, and who desire to re-enter the service. In the case of an officer, application for appointment must be made to the Provost-Marshal-General of the United States through the officer detailed as acting assistant provost-marshal-general of the State. No application of this kind will be considered unless the following conditions are completely fulfilled:

1. That the applicant produce the certificate of the surgeon of the Board of Enrollment for the district in which he resides, that he is unfit for active field duty on account of wounds or disease, and is not liable to draft, but is fit for garrison duty.
2. That he furnish evidence of honorable discharge on account of wounds or disability contracted in the line of duty.
3. That he produce recommendations from the regimental, brigade, and division commanders under whom he formerly served that he is worthy of being thus provided for and capable of returning adequate service to the Government. In case it shall be impracticable to get this last evidence, he may, having established the first two points above, satisfy the Board of Enrollment that he is deserving, and present its certificate of the fact. This evidence must all be obtained by the applicant, and must be transmitted with his application for appointment.

If there be no acting assistant provost-marshal-general for the State, the application may be forwarded through the adjutant-general of the State, who is desired to indorse thereon such facts in the military history of the applicant as he may know, or as are afforded by his records, and forward the same to the Provost-Marshal-General of the United States. Enlisted men, honorably discharged on account of disability, desiring to re-enlist in this corps, will present themselves to the Board of Enrollment for the district in which they reside, for examination by the surgeon thereof, who shall examine them and report the result to the Board of Enrollment.

The Board shall then consider each case, and if the applicant is found to fulfill the conditions specified below the Board shall give him a certificate to that effect, viz:

1. That he is unfit for service in the field.
2. That he is fit for garrison duty.
3. That he is meritorious and deserving.
4. That he was honorably discharged from the service.

The provost-marshal for the district shall then send the application, with this certificate of the Board, to the acting assistant provost-marshal-general of the State, who shall procure such evidence of service and character as the records of the company to which he belonged, on file at the headquarters of the State, may show, and if satisfied that it is a meritorious case, and that the man is deserving, he will enlist him in accordance with such special rules as the Provost-Marshal-General may establish.

Medical inspectors, surgeons in charge of hospitals, military commanders, and all others having authority to discharge, under existing laws and regulations, are forbidden to grant discharges to any men under their control who may be fit for service in the Invalid Corps.

The Provost-Marshal-General is charged with the execution of this order, and the troops organized under it will be under the control of his bureau.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 106. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, April 28, 1863.*

1. A board of five officers (the signal officer and a medical officer of the Army being members) will be assembled in this city for the examination of officers now on signal duty in the Army of the Potomac, the Middle Department, and the Departments of Washington and Virginia; and thereafter such persons as may be authorized by the Secretary of War to report to the Board for examination as candidates for commissions in this corps. The same board will examine enlisted men of the signal parties on duty in the Department of Washington, and such other candidates for enlistment in, or transfer to, the corps, as may be brought before it.

2. As soon as practicable the colonel and the two majors authorized by the act of March 3, 1863, shall be appointed.

3. Immediately after the appointment of the majors of the Signal Corps, auxiliary examining boards—in each of which one of the majors and a medical officer of the Army shall be members—will be appointed for the examination of the officers now on signal duty in the army corps and departments of the South and West; and, thereafter, such other persons as may be authorized by the Secretary of War to report for examination as candidates for commission.

4. The commander of each army corps or department in which the employment of signal parties is now or may be authorized will immediately appoint a board of three officers, two of whom shall be officers now on signal duty and the third a medical officer, for the examination of enlisted men now on signal duty who are candidates for transfer to or enlistment in the Signal Corps, and, if necessary to complete the organization of the signal parties in their command, such other persons as they may authorize to report for examination as candidates for enlistment. If the army corps forms a part of an army, then orders will be subject to the approval of the commanding general of that army.

5. The Board instituted by the first section will hold its sessions in the city of Washington, will adjourn from time to time according to the business before it, and be reassembled by the order of its president. It will call before it the officers to be examined by requisitions upon

the commanding generals of the armies or departments in which they are serving; but in order that no inconvenience to the service shall result these requisitions shall be subject to the discretion of the commanding general as to the time and order in which the officers called for shall report, care being taken that the officers to be withdrawn shall be replaced in advance as far as practicable by others who have passed satisfactory examinations.

6. The boards instituted by section 3 will report in succession at the headquarters of the army, army corps, or departments in the districts to which they may be assigned, and will be subject to the discretion of the commanding generals as to the time and place of meeting and the order in which candidates are to be examined.

7. Examining boards will be governed by the following rules:

First. Candidates for commissions shall be examined upon reading, writing, composition, and arithmetic; elementary chemistry and the elementary branches of natural philosophy, surveying, and topography; the use and management of field signals and field telegraphs; and those who have served in the acting corps, upon the mode of conducting signal parties in the field and in the presence of the enemy, and upon rendering the proper papers and reports.

Second. Candidates for warrants shall be examined upon reading, writing, geography, and arithmetic.

Third. No person shall be recommended for appointment or enlistment in the Signal Corps who is not of good moral character and physically competent for the duties.

Fourth. The several examining boards will adopt such forms of proceeding in questions upon the different branches of education enumerated above, or employ such other methods of ascertaining the merits of the different candidates as may seem expedient, having due reference to their mental and physical qualifications.

8. The principal and auxiliary examining boards will make to the Secretary of War, through the signal officer, weekly reports of the examinations made by them, designating by name, regiment, age, nativity, &c., of the persons examined, the grade for which they are recommended, and their recent standing, as determined by the examination and by their record of service. In the case of the auxiliary boards directed by sections 3 and 4, these reports will be transmitted through the commanding generals of the army or department in which the examinations were made.

9. As soon as the examinations of the auxiliary boards have been completed, a revising board, constituted as directed in the first section, with the addition of the majors who were members of the boards directed by the third section, will assemble in this city for the purpose of reviewing the action of the several examining boards; determining the relative standing of the officers of each grade; the rules to be observed in the appointments to the grade of first and second lieutenants; the classification of enlisted men, and making such other recommendations as may have been suggested by observation and experience as essential to a perfect organization of the corps.

10. Until the reports of the revising board have been approved by the Secretary of War, the appointments in the Signal Corps will be limited to the colonel and the two majors, one captain, two first lieutenants, and four second lieutenants for each army corps or department in which signal parties have been or may be authorized, and the enlistments or transfers to one sergeant, two privates of the first class, and four privates of the second class—the appointments thus made to be temporary, and the permanent standing of the officers to

be determined by the action of the President, upon the recommendations of the reviewing board.

11. In order to facilitate as much as possible the organization of the corps, the commanders of army corps and departments are authorized to transfer enlisted men, now employed on signal duty who have passed satisfactory examinations, to the Signal Corps, copies of the muster and descriptive rolls of the men so transferred being sent to the headquarters of the corps in this city, and the chief signal officers in each army corps or department are authorized to complete the signal parties under their charge by the enlistment of a sufficient number of approved candidates: *Provided*, That all officers and men now on signal duty who may fail to pass satisfactory examinations shall be returned to their regiments, and any officers and men retained in the service under the provisions of War Department General Orders, No. 92, who, in like manner, fail to pass satisfactory examinations, shall at once be discharged from the service of the United States by the commander of the army or department in which they are serving.

12. The chief signal officer in an army corps or department is authorized to appoint, upon the recommendation of the examining board and subject to the approval of the colonel of the corps, the sergeants authorized for the parties under his charge, and, upon a like recommendation and approval, to designate the privates of the first and second classes.

13. Recruiting for the Signal Corps will be conducted under the rules prescribed for the regimental recruiting service. Enlistments will be made for the period of three years or during the war; but enlisted men now on duty in the Signal Corps may re-enlist for the period of one or two years, and will be entitled to the benefits provided by the eighteenth section of the act of Congress approved March 3, 1863.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 108. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, April 28, 1863.*

I. Whenever volunteer troops are mustered out of service the entire regiment or other organization will be considered as mustered out at one time and place, except prisoners of war, who will be considered as in service until their arrival in a loyal State, with an allowance of time necessary for them to return to their respective places of enrollment. With officers and men of this class, commanding officers of regiments and companies will exercise great care in stating in the remarks, on the muster-out rolls, the dates and places of capture, thus: Prisoner of War. Captured at ———, December ———, 18—.

II. Officers and men absent from their commands on detached service, sick in hospital, or paroled will be furnished with transportation by the Quartermaster's Department to the place where the regiment is to be mustered out, in time to be present at the said muster. If from sickness, or other proper cause, they cannot be sent in time, as above directed, they will be sent to the point indicated as soon thereafter as practicable. The transportation will be furnished upon the requisition of the commanding officer under whom the officer or soldier may be serving, or of the surgeon in charge of the hospital where he may be sick. The descriptive lists of the men will accompany them, and be turned over to the officer who may be charged with mustering

out the force, by whom (after the data therefrom has been entered on the muster-out rolls) they will be forwarded to the Adjutant-General of the Army.

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By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 110. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, April 29, 1863.*

I. The following is the organization of regiments and companies of the Volunteer Army of the United States under existing laws:

1. Regiment of infantry (*ten companies*).—One colonel, 1 lieutenant-colonel, 1 major, 1 adjutant (an extra lieutenant), 1 quartermaster (an extra lieutenant), 1 surgeon, 2 assistant surgeons, 1 chaplain, 1 sergeant-major, 1 regimental quartermaster-sergeant, 1 regimental commissary-sergeant, 1 hospital steward, 2 principal musicians.

Company of infantry.—One captain, 1 first lieutenant, 1 second lieutenant, 1 first sergeant, 4 sergeants, 8 corporals, 2 musicians, 1 wagoner, and 64 privates, minimum; 82 privates, maximum.

2. Regiment of cavalry (*twelve companies or troops*).—One colonel, 1 lieutenant-colonel, 3 majors, 1 surgeon, 2 assistant surgeons, 1 regimental adjutant (an extra lieutenant), 1 regimental quartermaster (an extra lieutenant), 1 regimental commissary (an extra lieutenant), 1 chaplain, 1 veterinary surgeon, 1 sergeant-major, 1 quartermaster-sergeant, 1 commissary-sergeant, 2 hospital stewards, 1 saddler sergeant, 1 chief trumpeter.

Company or troop of cavalry.—One captain, 1 first lieutenant, 1 second lieutenant, 1 first sergeant, 1 quartermaster-sergeant, 1 commissary-sergeant, 5 sergeants, 8 corporals, 2 trumpeters, 2 farriers or blacksmiths, 1 saddler, 1 wagoner, and 60 privates, minimum; 78 privates, maximum.

3. Regiment of artillery (*twelve batteries*).—One colonel, 1 lieutenant-colonel, 1 major for every four batteries, 1 adjutant (not an extra lieutenant), 1 quartermaster (not an extra lieutenant), 1 chaplain, 1 sergeant-major, 1 quartermaster-sergeant, 1 commissary-sergeant, 1 hospital steward, 2 principal musicians.

Battery of artillery.—One captain, 1 first lieutenant, 1 second lieutenant, 1 first sergeant, 1 quartermaster-sergeant, 4 sergeants, 8 corporals, 2 musicians, 2 artificers, 1 wagoner, and 122 privates.

To the above organization of a battery one first and one second lieutenant, two sergeants, and four corporals may be added, at the President's discretion.

The field officers, chaplain, and regimental staff—commissioned and non-commissioned—will not be mustered or received into service without special authority from the War Department. As a general rule, artillery will be called for and received by batteries, thus rendering the field and staff unnecessary.

II. Chaplains must meet the requirements of section 8 of the act of July 17, 1862 (G. O., 91, A. G. O., 1862, pp. 17 and 18), as follows:

No person shall be appointed a chaplain in the United States Army who is not a regularly ordained minister of some religious denomination, and who does not present testimonials of his present good standing as such minister, with a recommendation for his appointment as an army chaplain from some authorized ecclesiastical body, or not less than five accredited ministers belonging to said religious denomination.

After chaplains are appointed, under section 9 of the act of July 22, 1861 (G. O., 49, A. G. O., 1861, p. 4), they must be mustered into service by an officer of the Regular Army and thereafter borne on the field and staff roll of the regiment.

Mustering officers before mustering chaplains into service will require from them a copy of the proceedings on which the appointment is based. The said copy, if found conformable to the requirements of the law, will be indorsed by the mustering officer and by him forwarded to the Adjutant-General's Office for file with the muster-in roll.

III. Except where consolidations have been made or are to be made, under General Orders, No. 86, from this office, the foregoing organizations will be strictly adhered to by all concerned.

No commissioned officer or enlisted man of any grade in excess of the legal organization will be recognized. Any commander who may acknowledge or receive, as in service, any such officer or enlisted man, will be brought to trial for neglect of duty and disobedience of orders. No person acting in the capacity of a supernumerary will, under any circumstances, be permitted to receive pay and allowances from the Government; and paymasters making payment to such supernumeraries will be held individually accountable for amounts so paid.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., April 29, 1863.

To ——— ———,
Provost-Marshal ——— District of ———:

SIR: The organization of the Board of Enrollment for your district is completed by the appointment of ——— ———, of ——— ———, as examining surgeon, and ——— ———, of ——— ———, as commissioner.

You will immediately convene the Board for the performance of the duties required of it by the Regulations for the Government of the Provost-Marshal-General's Bureau. You will state to the Board that the enrolling officers must be appointed and the enrollment commenced at once.

The regulations may not, perhaps, provide for the employment of sufficient force of agents, assistants, and clerks to execute a prompt enrollment. Should this prove to be the case, you will at once report to this office the number of additional employés required, specifying the duties to be performed by each.

The object to be attained is a complete enrollment of the forces in your district at the earliest day practicable.

The duties required of you as provost-marshal, by the regulations, will be performed during the session of the Board in the same manner as during its recess.

Should questions arise not provided for in the regulations, you will report at once to this office, through the acting assistant provost-marshal-general of your State, for specific instructions.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
Hilton Head, S. C., April 30, 1863.

Hon. EDWIN M. STANTON,
Secretary of War, Washington:

DEAR SIR: With opportunities of observation larger and perhaps more closely improved than have fallen to the lot of any other general officer in the service, I am happy to be able to announce to you my complete and eminent satisfaction with the results of the organization of negro regiments in this department. We have now three regiments in operation, of which two have been in active service against the enemy, and two additional regiments, five in all, will be raised by the enrollment, under general orders, of all the surplus laborers in the Quartermaster's, Commissary, Ordnance, and Medical Departments, together with those employed as servants or laborers by the speculators and traders at the various posts.

In the field these regiments, so far as tried, have proved brave, active, docile, and energetic, frequently outrunning by their zeal and familiarity with the Southern country the restrictions deemed prudent by certain of their officers and never disgracing their uniform by pillage or cruelty; and so conducting themselves, upon the whole, that even our enemies, though more anxious to find fault with these than with any other portion of our troops, have not yet been able to allege against them a single violation of any of the rules of civilized warfare.

I find the colored regiments hardy, generous, temperate, strictly obedient, possessing remarkable aptitude for military training, and deeply imbued with that religious sentiment (call it fanaticism, such as like) which made the soldiers of Oliver Cromwell invincible. They are imbued with a burning faith that now is the time appointed by God, in His All-wise Providence, for the deliverance of their race; and under the heroic incitement of this faith I believe them capable of courage and persistency of purpose which must in the end extort both victory and admiration. Their faith is childlike in its purity, fervor, and pathos. They accept with patience the slights and sneers occasionally thrown upon them by thoughtless or malignant hands, assured that in the day of trial or conflict they possess and stand ready to evince those qualities of true manhood and soldiership which must redeem in the eyes of all just and generous men, however prejudiced, the misfortune of their darker skins and that condition of utter degradation out of which they feel themselves but now emerging.

And in this connection I am also happy to announce to you that the prejudices of certain of our white soldiers against these indispensable allies are rapidly softening or fading out, General Orders, No. 17, of this department (of which copy is inclosed*) having done much to allay the irrational bitterness of feeling fomented by pro-slavery, semi-secession sympathizing officers. Under that order vast numbers of non-commissioned officers and deserving privates of our white regiments were recommended by their company, field, brigade, and division commanders for promotion as commissioned officers of the colored troops, and with every appointment thus made an increased respect for and interest in the organization and fortunes of the colored brigade became perceptible.

* See Series I, Vol. XIV, p. 1020.

Nay, more. I have now on file applications from very many first-class officers, line and field, to be exchanged into the colored regiments; some asking promotion in their transfer on the ground of their experience and services in a dozen battles; others, and these of the best kind, asking simple transfer in obedience to conscientious convictions, and positively declining to receive promotion in their new branch of service lest their true motives might be misunderstood. It is not an uncommon thing to receive a recommendation of some deserving soldier signed by from ten to twenty officers, representing all the grades; the recommendation expressing the utmost faith and interest in the colored regiments and favoring the particular nominee for promotion on the ground that he possesses, in addition to military fitness, a high moral character and earnest convictions on religious subjects, and that for these reasons he will prove a desirable exemplar to be placed before the docile but untutored men of his command.

With such facts before us, and with public sentiment throughout the country strongly tending toward an universal acceptance of the President's policy of arming the slaves, it is for the Government to press forward this business with all its energy, calmly disregarding the abuse or venomous vituperation of the "copperhead" North and their more manly and respectable allies, the rebels South; such opposition in itself being the strongest argument possible for the wisdom and necessity of the step that so arouses and exacerbates the malice of our enemies. The rebels South are not fools, nor are their Northern allies. If arming the negroes were the silly and useless thing they claim it to be, all their energies would then be devoted to urging the Government forward in an unresulting expenditure of its resources. The lie, however, is only on their lips, while in their heart of hearts they believe and tremble.

That more able-bodied negroes have not been brought within our lines is due to circumstances which you can well appreciate. With the limited force at my command, and with that force taxed to its uttermost to hold posts that must be held at any cost, and to furnish men for the expeditions conducted conjointly with the navy, I have not yet been in a position to carry out my plans (already fully matured) of coastwise expeditions of mixed troops to penetrate those regions where slaves are densest, and therein establish posts to which all fugitives may flock, assured of welcome, protection, and employment. These things are held in abeyance, however, not abandoned. All information of importance to the slaves spreads among them with a rapidity of vocal telegraphing not much surpassed by the issues of the New York press; and although this very facility of communication has heretofore somewhat acted against us, owing to the manner in which these bondsmen, seeking liberty, were too often repulsed from our lines in the earlier stages of this war, I am now happy to believe from my spies on the mainland and from other sources of information that the whole slave population of the South is thoroughly alive to the President's proclamation of the 1st of January, and that thousands of anxious "chattels" are feverishly longing for the advent of the coastwise expeditions which they have been promised, and which will be sent the moment I am at liberty, and with the requisite authority asked for in my letters by last mail.

I have the honor to be, with the highest esteem, sir, your very obedient servant,

D. HUNTER,
Major-General, Commanding.

Abstract from returns of the U. S. Army, April 30, 1863.

Command.	Present for duty—officers and men.	Aggregate present.	Aggregate present and absent.
Department of the Gulf (Banks)	35,670	44,832	55,229
Department of Virginia (Dix)	32,705	36,589	43,025
Department of North Carolina (Foster)	14,000	16,785	34,514
Department of the Missouri (Curtis)	31,670	40,426	52,806
Department of the Cumberland (Rosecrans)	82,724	99,360	137,150
Department of the Ohio (Burnside)	33,752	40,700	57,740
Department of the Tennessee (Grant)	97,344	116,483	149,769
Army of the Potomac (Hooker)	138,378	157,990	206,628
Department of Washington (Heintzelman)	34,925	44,223	53,344
Middle Department (Schenck)	33,531	39,507	49,515
Department of the East (Wool)	2,712	3,285	3,757
Department of New Mexico (Carleton)	2,219	2,931	3,427
Department of the Northwest (Pope)	6,548	7,266	8,491
Department of the Pacific (Wright)	3,347	4,425	5,191
Department of the South (Hunter)	18,326	21,102	24,827
Total	567,851	675,904	885,413

GENERAL ORDERS, No. 111. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, May 1, 1863.*

I. From and after the 1st day of May all enlistments of volunteers shall be under the special charge and direction of the Provost-Marshal-General, under the rules and regulations heretofore made, which are hereby continued in force, and such other rules of the department as may from time to time be made. All disbursing officers, and all other officers connected with the enlistment of volunteers, will report to him.

II. Officers of regiments going out of service by reason of the expiration of their term may, with the consent of their respective Governors, re-enlist their regiments, within thirty days from the expiration of the original service, for a term of three years, unless sooner discharged; and upon the regiment being filled up within the thirty days aforesaid, the officers shall be restored to their rank as from the date of their original commissions. This, however, will give no claim to pay for the time between muster out and re-entry into service.

III. The law provides that a man who enlists for three years, unless sooner discharged, is entitled to one month's pay in advance upon the mustering of his company into the service of the United States, or after he shall have been mustered into and joined a regiment already in the service, and to a bounty of $100, $25 of which is to be paid in advance when his company is organized, muster-in rolls made out, and the mustering officer's certificate given thereto, or after he shall have been mustered into and joined a regiment already in the service.

IV. Hereafter regiments of volunteers leaving the field on account of expiration of term of service will be permitted, on the application of their officers, who shall undertake to hold themselves responsible for their safe delivery, to take their arms and accouterments to the place of discharge, to be delivered to the Governor of the State, or to officers appointed by him to receive them. The arms and accouter-

ments will be held subject to reissue to the men on re-enlistment in their former companies and regiments.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 112. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, May 1, 1863.*

Under the enrollment act drafted men will be actually in the U. S. service as soldiers from the fact of being drafted. It is therefore ordered that they be put in uniform, and provided with knapsacks, haversacks, canteens, tin cups, spoons, &c., as soon as they report to the district provost-marshals.

The Quartermaster-General will fill the requisitions of the Provost-Marshal-General for clothing, &c., for this purpose, to be delivered at such points as the latter may designate.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., May —, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I respectfully suggest the following course of action under the enrollment act, viz:

First. That the first call for troops made by the President be for the deficiency on former calls.

Second. That as soon as the enrollment of any one State now deficient is completed the districts in it be drafted for their respective quotas of the State deficiency whether the enrollment in other States be completed or not, and that this course be pursued in other States as fast as the enrollment is completed in them.

Third. As soon as the draft to make up the deficiencies is fairly under way, let a regular draft be made on other States.

Fourth. That the forces be called out by several successive drafts instead of calling for the whole number at one time—the second call being made when the troops under the first call shall be under way to their regiments. This will keep a steady stream of recruits pouring into the Army instead of having an unmanageable flood of them at one time.

Fifth. The regular draft should commence in the districts of the first State which is enrolled without waiting to complete the enrollment in all the States, which may take many months. That this may be fairly accomplished it will be necessary that no fixed total number of troops be called for by the President. If he calls for a fixed number the exact proportion of that number for each district cannot be determined until the enrollment is completed in every district of the United States, including California and Oregon. Instead of this method, therefore, it is proposed that after the call for deficiencies a call be made on the districts of any State, which may be enrolled, for their share of an approximate or assumed State quota. Having fairly levied this assumed quota, it can be seen what proportion of the

enrolled men of the first class this brings out, and we can then call out the same proportion of the enrolled men of the first class in each one of the other States as soon as its enrollment is completed. The call, whether large or small, would thus be equalized among the States. States which have furnished an excess heretofore would of course be credited with it. A regular account will be kept with each district.

Sixth. That in each case where the President orders a draft he make a separate order for the number of men to come from each district, and file this order in the office of the Provost-Marshal-General, to be communicated to the Board of Enrollment in the district with special instructions as to the manner of conducting the draft and the disposition of the men.

Seventh. That drafted men be assigned to regiments (regulars and volunteers) now in service. By filling up and keeping full all the old regiments I think the Army will be large enough without forming new regiments.

Eighth. As suggested in a former report, the drafted men will be put in uniform and furnished with knapsack, haversack, canteen, and blanket at the district headquarters. As soon as they are thus equipped they should be sent to such general rendezvous as the Adjutant-General may have in readiness for them. They should be received at these rendezvous by the officers of the regiment to which they are to belong and conducted to the regiment just as soon as the quota for the regiment arrives at the rendezvous.

Ninth. The want of a corps of guides and orderlies is felt throughout the Army. The cavalry arm is crippled by the demand made upon it to supply the place of such a corps. It might be well when the draft is under way to organize a corps of this kind. An officer of the Inspector-General's Department put on duty in the office of the Adjutant-General of the Army might effect the organization and superintend the bureau business connected with such a corps.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

[MAY 1, 1863.—For Banks' General Orders, No. 40, authorizing the organization of the Corps d'Afrique, see Series I, Vol. XV, p. 716.]

GENERAL ORDERS, No. 113. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, May 2, 1863.*

The following rules in relation to claims for property lost in the military service of the United States are published for the information of all concerned:

I. Rules in relation to claims for the payment of horses and equipage lost or destroyed in the military service of the United States, under act of March 3, 1849.

By the first section of the law it is enacted:

That any field or staff, or other officer, mounted militiaman, volunteer, ranger, or cavalry, engaged in the military service of the United States since the 18th of June, 1812, or who shall hereafter be in said service, and has sustained or shall sustain damage, without any fault or negligence on his part, while in said service—

1. By the loss of a horse in battle;

2. By the loss of a horse wounded in battle, and which has died or shall die of said wound, or, being so wounded, shall be abandoned by order of his officer and lost;

3. By the loss of a horse by death or abandonment, because of the unavoidable dangers of the sea, when on board a U. S. transport vessel;

Because the United States failed to supply transportation for the horse, and the owner was compelled, by order of his commanding officer, to embark and leave him;

In consequence of the United States failing to supply sufficient forage;

Because the rider was dismounted and separated from his horse, and ordered to do duty on foot at a station detached from his horse;

When the officer in the immediate command ordered or shall order the horse turned out to graze in the woods, prairies, or commons because the United States failed or shall fail to supply sufficient forage, and the loss was or shall be consequent thereof;

4. By the loss of necessary equipage in consequence of the loss of his horse, as aforesaid;

Shall be allowed and paid the value thereof, not to exceed $200.

Provided, That if any payment has been or shall be made to any one aforesaid for the use and risk, or for forage, after the death, loss, or abandonment of his horse, said payment shall be deducted from the value thereof, unless he satisfied or shall satisfy the paymaster at the time he made or shall make the payment, or thereafter show by proof that he was remounted, in which case the deductions shall only extend to the time he was on foot: *And provided also*, If any payment shall have been or shall hereafter be made to any person above mentioned on account of clothing to which he was not entitled by law, such payment shall be deducted from the value of his horse or accouterments.

RULES OF EVIDENCE.

To establish a claim under either of the foregoing provisions, the claimant must furnish the evidence of the officer under whose command he was serving when the loss occurred, if alive, or if dead, then the next surviving officer, describing the property, the value thereof at the time of entering the service, the time when, place where, and manner in which the loss occurred, and whether or not it was without any fault or negligence on the part of the claimant. The claimant must himself state the facts above required, and also whether or not he has received from any officer or agent of the Government a horse or equipage in lieu of that lost by him, or any compensation for the same; also whether the horse or equipage lost had not been furnished by the United States or purchased from some quartermaster; and if so, the name of the officer from whom purchased and the price paid therefor. If the property was appraised at the time the same was taken into the U. S. service, the original valuation list or certified statement of the value as appraised should be furnished.

In cases where the loss is alleged to have occurred "because the United States failed to supply transportation for the horse, and the owner was compelled, by the order of his commanding officer, to embark and leave him," the affidavit of the claimant must, in addition to the declaration above mentioned, declare "that he did, in obedience to the order of his commanding officer, leave said horse and equipage, and that he never sold or otherwise disposed of said horse or equipage, and never received any compensation for either from any person whatever;" and this must be corroborated by the officer who gave the order.

In all cases where the claim extends to equipage, the several articles of which the same consisted, and separate value of each, must be specified.

In no case can the foregoing evidence be dispensed with, unless the impracticability of producing it be clearly proved; and then the nearest and best other evidence of which the case is susceptible must be furnished in lieu thereof.

All evidence other than the certificates on honor of officers who, at the time of giving them, were in the military service of the United States, must be sworn to before some judge, justice of the peace, or other person duly authorized to administer oaths, and of which authority proof should accompany the evidence.

All claims under the provisions of this act must be presented to the Office of the Third Auditor of the Treasury Department.

II. Rules in relation to claims for the payment of horses, mules, oxen, &c., in the military service of the United States by impressment or contract, the risk of which was assumed by the United States, and which shall have been lost or destroyed, as specified.

The second section of the law relates to property in the military service of the United States by impressment or contract, and is as follows:

That any person who has sustained or shall sustain damage, by the capture or destruction by an enemy, or by the abandonment or destruction, by the order of the commanding general, the commanding officer, or quartermaster, of any horse, mule, ox, wagon, cart, boat, sleigh, or harness, while such property was in the service of the United States, *either by impressment* or contract, except in cases where the risk to which the property would be exposed was agreed to be incurred by the owner; and any person who has sustained or shall sustain damage by the death or abandonment and loss of any such horse, mule, or ox, while in the service aforesaid, in consequence of the failure on the part of the United States to furnish the same with sufficient forage; and any person who has lost, or shall lose, or has had, or shall have destroyed by unavoidable accident, any horse, mule, ox, wagon, cart, boat, sleigh, or harness, while such property was in the service aforesaid, shall be allowed and paid the value thereof at the time he entered the service: *Provided*, It shall appear that such loss, capture, abandonment, destruction, or death was without any fault or negligence on the part of the owner of the property, and while it was actually employed in the service of the United States.

To establish a claim under this provision, it is necessary to produce the testimony of the officer or agent of the United States who impressed or contracted for the service of the property mentioned in such claim, describing the property, showing when and in what manner it was taken into the service, the reasons and necessity therefor, the manner in which it was employed, and the value thereof when taken into the service. The officer in whose charge the property was at the time of loss must also state the time, place, and manner in which the loss happened, and whether or not it was sustained without any fault or negligence on the part of the owner. In cases where the property was in the service by contract, the rate of compensation to be allowed must appear, and also whether or not the risk to which it would be exposed was agreed to be incurred by the owner; and in cases of horses, mules, or oxen, lost for want of forage, whether the same was to be furnished by the owner or by the United States.

Each claim must be accompanied by a deposition of the claimant, declaring that he "has not received from any officer or agent of the United States any horse, mule, wagon, cart, &c. (as the case may be), in lieu of the property lost, nor any compensation for the same," nor any certificate of indebtedness or certified voucher therefor on which payment has or might be made. The claim must be supported by the original valuation list if the property was appraised at the time of being taken into the U. S. service; if no appraisement was made, the best attainable evidence as to the value thereof may be received.

All evidence other than the certificates of officers who, at the time of giving them, were in the military service of the United States, must be sworn to before some judge, justice of the peace, or other person duly authorized to administer oaths, and of which authority proof should accompany the evidence.

In no case can the production of the evidence above described be dispensed with, unless the impracticability of producing it be clearly proved; and then the nearest and best other evidence of which the case is susceptible must be furnished in lieu thereof.

III. Rules in relation to claims for steam-boats, and other vessels, and railroad engines and cars, lost or destroyed while in the service of the United States by impressment or contract.

By the second section of "An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States," approved March 3, 1849, it is enacted as follows:

That any person who has sustained or shall sustain damage, by the capture or destruction by an enemy, or by the abandonment or destruction, by the order of the commanding general, the commanding officer, or quartermaster, of any horse, mule, ox, wagon, cart, boat, sleigh, or harness, while such property was in the military service of the United States, *either by impressment or contract*, except in cases where the risk to which the property would be exposed was agreed to be incurred by the owner; and any person who has sustained or shall sustain damage by the death or abandonment and loss of any such horse, mule, or ox, while in the service aforesaid, in consequence of the failure on the part of the United States to furnish the same with sufficient forage; and any person who has lost, or shall lose, or has had, or shall have destroyed by unavoidable accident, any horse, mule, ox, wagon, cart, boat, sleigh, or harness, while such property was in the service aforesaid, shall be allowed and paid the value thereof at the time he entered the service: *Provided*, It shall appear that such loss, capture, abandonment, destruction, or death was without any fault or negligence on the part of the owner of the property, and while it was actually employed in the service of the United States.

By the fifth section of "An act to promote the efficiency of the Corps of Engineers, and of the Ordnance Department, and for other purposes," approved March 3, 1863, it is enacted:

SEC. 5. *And be it further enacted*, That section two of the act approved March three, eighteen hundred and forty-nine, entitled "An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States," shall be construed to include the steam-boats and other vessels, and "railroad engines and cars," in the property to be allowed and paid for when destroyed or lost under the circumstances provided for in said act.

To establish a claim for a steam-boat or other vessel under the above provision, it will be necessary to produce the following testimony:

If the steam-boat, or vessel, was in the service of the United States by contract, the charter-party, or a certified copy thereof, must be filed with the evidence in support of the claim.

It must be shown in what particular branch of the military service the boat was engaged—whether transporting troops, freight, or otherwise; and whether or not the risk to which it would be exposed was agreed to be incurred by the owner.

If in the service by impressment, the evidence of the officer by whom the impressment was made must be furnished, showing when and where such impressment was made; by what authority or under whose order; the reasons therefor; and whether such boat was, at the time of loss, actually employed in the transportation of troops, supplies, or otherwise in the military service of the United States.

Complete evidence of ownership must be furnished. The owners must state when, where, and from whom the boat was purchased, and the price paid. The names and residences of all the owners must appear, together with their separate interests therein. The bills of sale, or certified copy thereof, must accompany the papers.

A complete description of the boat must be given, showing when and where the same was built; the trade in which she was employed

previous to being taken into the U. S. service; her capacity for freight and passengers; the number, description, and power of engines; the number and size of boilers; extreme length and width, number of decks, depth of draft; whether side or stern wheels; and the last certificate of inspection, or a certified copy thereof, must also be furnished.

Evidence must be furnished showing the particular circumstances attending the loss, when and where it occurred; also whether the loss was total or only partial; and if the latter, the extent of damage done.

A statement must be furnished showing the respective payments made, by officers or agents of the United States, for or on account of the services of said vessel, or steam-boat, during the time she was employed in the service prior to the loss thereof.

The owners in each case must make affidavit that they have not, by themselves or agents, received from any officer or agent of the United States any property in lieu of that lost or destroyed, nor any compensation for the same, nor any certificate of indebtedness or certified voucher therefor on which payment has been or might be made. The owners must also state what insurance, if any, was had on such vessel or boat; the names of the companies in which insured; the amounts thereof, and the payments received therefrom.

Each witness must state his place of residence and business, and his opportunities for knowing the facts concerning which he testifies. All evidence must be sworn to before some officer authorized to administer oaths, and duly authenticated.

RAILROAD ENGINES AND CARS.

The evidence to substantiate claims of this description should be, as far as applicable, the same as is required in the cases of steamboats and other vessels. Claims for losses occurring from casualties while engaged in the transportation of troops, supplies, &c., and where the roads, machinery, &c., are in the possession and management of the agents of the railroad, are not embraced in this class of cases.

In no case can the foregoing evidence be dispensed with unless the impracticability of producing it be clearly proved; and then the nearest and best other evidence of which the case is susceptible must be furnished in lieu thereof.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CONFIDENTIAL.] PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., May 2, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I have the honor to make the following suggestions:

First. That the first draft ordered under the enrollment act be for the deficiency under the President's calls for troops as heretofore made. It will require 87,103 men to make up the deficiency, and it should be allotted among the States as follows, to wit:

	Deficiency.
Connecticut	2,231
Delaware	1,486
Maine	8,906

	Deficiency.
Maryland	11,686
Massachusetts	15,248
Michigan	4,288
New Hampshire	2,613
New Jersey	14,619
Pennsylvania	24,443
Vermont	1,145
Wisconsin	438
Total	87,103

The following-named States having furnished more than their respective quotas, must not be called upon for the first draft, to wit:

	In excess.
Illinois	40,890
Indiana	22,785
Iowa	8,485
Minnesota	3,652
New York	3,666
Ohio	3,902
Rhode Island	679
Virginia	596
Total	79,655

The States of—

Kansas	2,647
Kentucky	10,664
Missouri	7,652
Tennessee	
	20,990

were not called upon to furnish troops, though the first three named actually furnished the number of men set opposite them above. Considering these the total number of men furnished in excess of the quota up to June 1, 1862, from the States named would be 100,645. The deficiency from other States, as previously stated, being 87,103, it appears that the President's calls have been exceeded by 13,542.

In determining the above numbers all men heretofore furnished have been reduced to the standard of three-years' men; one three-years' man being considered equal to four nine-months' men. This fact accounts for the difference between this statement and those heretofore submitted on this subject. Illinois and other States not only furnished an excess under the President's call for 300,000 nine-months' men, but furnished that excess in three-years' men, for which fact they should have credit. I would suggest—

Second. That no draft be announced by proclamation, but that the War Department communicate its orders for the number of men required through the Provost-Marshal-General alone. The number to come from each district will be communicated to the Board of Enrollment in that district with orders to make draft accordingly. If the whole number be called out by proclamation, every man who knows how to cipher proves for his friends that the quota for his State, district, and county are not correct, and thus creates a bad feeling.

However soon the second draft may follow the first, I think there will be decided advantage in making the first as proposed in States at this time deficient.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

[Indorsement.]

Approved:

E. M. STANTON.

WASHINGTON, D. C., *May 2, 1863.*

Major-General BURNSIDE,
Cincinnati, Ohio:

The Secretary of War authorizes you to commence the organization of Kentucky troops. You are also authorized to organize two artillery regiments, reporting to Adjutant-General the organization for the proper orders. Operations here are becoming interesting.

H. W. HALLECK,
General-in-Chief.

READING, BERKS COUNTY, PA., *May 2, 1863.*

Hon. L. C. TURNER,
Judge-Advocate:

SIR: Parties are actively engaged in organizing treasonable lodges in the eastern part of this county. In the western part the leaders are intimidated. I have had four of them arrested and they will have a hearing at Philadelphia on Monday.

We need a provost-marshal immediately. I have recommended Jacob C. Hoff as the man for the place, and I think I know what we need. I beg you, if you can, to aid in securing his appointment. I trust effectually to break up these treasonable societies and need the right kind of man to aid me.

Very respectfully, your obedient servant,

JNO. S. RICHARDS.

WASHINGTON, *May 2, 1863.*

General SPRAGUE,
Adjutant-General of New York, Albany:

The general order which we discussed has been changed so as to admit only three-years' volunteers, and not two-years' as we thought when you left. The order will be so published.

J. B. FRY,
Provost-Marshal-General.

HDQRS. DEPT. OF THE GULF, NINETEENTH ARMY CORPS,
Opelousas, La., May 4, 1863.

Hon. WILLIAM H. SEWARD,
Secretary of State:

SIR: The army moves to-day for Alexandria. The fortifications at Butte-à-la-Rose were carried on April 20. By some unexplained and unaccountable delay the navy failed to open communication with Admiral Farragut until the 2d of this month, when it was accomplished chiefly by the energy and activity of my own officers. The Atchafalaya to the Red River is perfectly free and intercourse with the admiral unrestrained. Small transport steamers communicate with him every day, and he is waiting anxiously for boats that have passed the batteries at Vicksburg, but is uncertain whether he will

obtain them. If so, or if not, he will join us in the movement against Alexandria and take what chance may offer. Had I a force of 10,000 men in addition to my own the whole of this country would be permanently in our possession. As it is, our success must depend upon the concentration of the enemy's forces at Alexandria or Shreveport within the time that it requires us to reach one or the other of these places. The inaction of ten days has been to us a calamity, but it was unavoidable.

It gives me pleasure to say to you that the sentiments of the people are unexpectedly and almost universally friendly to the restoration of the Union. Nothing is required but a sufficient force to hold the territory to secure its immediate return to the Union. Large quantities of cotton would in this event be obtained for the Government. I have sent already 5,000 bales to New Orleans. My hope is that, unless untoward changes occur to us, we may obtain from 50,000 to 100,000 bales while in the occupation of this State. This is possible, if not probable.

I have read Lord Lyons' letter to Earl Russell upon the subject of granting to British merchants the privilege of purchasing cotton in the Southern States for the use of British manufacturers. There is one fundamental objection to this proposition which will make the consent of the United States impossible. There is no guarantee, and there can be none on the part of Great Britain, that any cotton that is purchased by English subjects, to send to England for sale or manufacture, will not be paid for by steamers to be used against the commerce of the United States after the manner of the Alabama. If the merchants choose to sell to parties that may or may not be professedly connected with the Confederate States and agents of the rebellion, every bale of cotton that goes from New Orleans in the interest of British subjects, or which is permitted to pass the blockade by consent of the Government of the United States, may be appropriated to the payment for such vessels; and there is no security which can be obtained by the Government of the United States for the possible wrong of such transaction. This idea is forcibly suggested by a communication addressed to me by General Pemberton, commanding the rebel forces at Vicksburg. Some weeks since a detachment of my command, under direction of General Sherman, captured a schooner loaded with cotton on the Amite River and brought it to New Orleans. It was immediately claimed as the property of a gentleman assuming to be a British subject, whose claim was sustained by Mr. Coppell, the British consul at New Orleans. I declined to deliver it to them. Subsequently I received a letter from General Pemberton, which, I am sorry to say, in my rapid movement, is at this moment mislaid, in which he states distinctly that he had given official permission to transport this cotton to New Orleans, upon condition that it should be sent directly to England, and in nowise to be used directly or indirectly for the Government of the United States. Had I allowed this cotton to go to the order of the consul or the claimant, it is utterly impossible for any man, in the interest of the United States, to say in what manner or what form the recipients of the cotton in England could have made compensation therefor. At first opportunity I will transmit to you this letter of General Pemberton's. In the meantime I beg to say that I have correctly stated its substance.

In the march of my army to this point, and in its expected progress to other and more important points, we have felt the influence of the policy pursued in the city of New Orleans for the last three months.

Thousands of people have signified their readiness to take the oath of allegiance, and ask the privileges and protection that have been secured to the people in that portion of the State. The insufficiency of my force for permanent military possession, and my inability to secure to them the protection to which they would be entitled under such circumstances, has led me to suspend my assent to their request upon the ground that I could not afford them the protection which has been secured to the people elsewhere; but I have said to them, "re-establish the Government of the United States and the prosperity and peace you have enjoyed heretofore will return." I can truly say that it is their wish. They have manifested it in many ways. They have brought forward their cotton instead of destroying it. They have given information as far as in their power, and we have had in our progress the prayers of the religious societies in that portion of the country through which we have passed.

I have ventured to give to Mr. Maillot, a French gentleman of great intelligence, formerly a resident in Canada, a large land-holder in Illinois, and a planter in Louisiana, a letter of introduction to you. He can give you more information as to the sentiments of the people and of affairs in this quarter than any man within the circle of my acquaintance. I beg to commend him to your consideration.

The post-office has given us a letter from a gentleman in England, understood to be a member of the rebel Legislature, addressed to Governor Moore, in which the course of English capitalists in regard to the rebellion and the essential means of supporting it are very strongly and, no doubt, truthfully stated. It may serve as an explanation to the facilities which General Pemberton has given to the English subjects in this country for the transportation of their cotton from the Confederacy to New Orleans; and it may be well to consider this letter in connection with the views expressed to Lord Lyons by Earl Russell. There are many difficulties connected with the disposition of the products of the country; but whatever results or consequences may ensue, there is but one course for the Government to pursue, and that is so to dispose of cotton and sugar (the sources of wealth, of political and of military power) that the rebel Government cannot sustain by it their arms. In pursuance of this idea I have directed, as far as in our power, the seizure of these products for the Government of the United States; and also all horses, mules, and cattle, which have hitherto been used for the support and maintenance of their arms. Many protests have been presented by persons claiming to be French or English subjects against this seizure; but it will be found, upon full consideration, to be not only the right, but the duty, of the Government to appropriate this property in this manner. I have publicly informed the people that all well-disposed persons, entitled to the favor of the Government, would be compensated for this property at the values to which it is entitled in this part of the country at this time, something like the value fixed to it by the rebel Government. Every dollar of this property taken in this campaign is appropriated scrupulously to the Government. There is not a speculator nor a plunderer in the trail of this army.

If we advance to other important points, and more extended military operations are commenced, I have made up my mind to pursue a different policy, which I should like to present to the Government, and which, as it affects the relations of this country to foreign nations, might properly be stated to you. I propose to give notice to the people that the Government of the United States will levy a contribution of 50 per cent. upon all the staple products remaining in the

country, and that, subject to this contribution, they will be permitted to send cotton, sugar, and tobacco to the markets of New Orleans, to be sold under the supervision of the Government of the United States, for its own currency, and the balance retained by the proprietors or their agents. This may, at first glance, seem to be in conflict with the act of confiscation, but, upon full consideration, I am satisfied it is the best policy for the United States to pursue. It relates only to perishable property, which the owners or other persons may destroy, and which it is impossible for us to possess except by their consent and active co-operation. If all interest in this property be denied to them it will be destroyed. If a partial interest be secured to them, subject to the future recognition by the Government, it will not only be preserved, but will be transported by the people to the markets, and thus the whole world will secure the staple raw materials for its manufactures and the Government of the United States receive a revenue far greater than any other which it has derived from the resources of the enemy during the war. These two considerations—the satisfaction of the demands of foreign as well as domestic manufactures, and the financial contribution to the expenses of the war—cannot be secured except by giving to the people an interest to some extent in this property. In approaching Alexandria I shall send, if possible, agents to make known to all persons and owners and managers of steamers that, irrespective of any question of the past, I will be glad to pay a fair value for these steamers rather than to have them destroyed. Cotton, tobacco, and sugar must be treated in the same manner for the same reasons, for it cannot otherwise be controlled for the benefit of the Government.

I inclose to you the rough draft of a proclamation upon this subject,* which I propose to issue, and shall be glad to receive instructions from the Government upon this subject.

I transmit this letter to General Halleck, as Commander-in-Chief of the Army, with the request that it may be forwarded to your Department.

I have the honor to remain, with great respect, your obedient servant,

N. P. BANKS,
Major-General, Commanding.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
Hilton Head, Port Royal, S. C., May 4, 1863.

His Excellency the GOVERNOR OF MASSACHUSETTS,
Boston, Mass.:

GOVERNOR: Understanding that several regiments of colored soldiers are being raised under your authority, I would respectfully request, if consistent with your views, that application should be made by you to the Secretary of War to have such regiments on their completion sent to this department for service.

I am happy to be able to announce to you my complete and eminent satisfaction with the results of the organization of negro regiments in this department. In the field, so far as tried, they have proved brave, active, enduring, and energetic, frequently outrunning by their zeal and familiarity with the Southern country the restrictions

* Not found.

deemed prudent by certain of their officers. They have never disgraced their uniform by pillage or cruelty, but have so conducted themselves upon the whole that even our enemies, though more anxious to find fault with these than with any other portion of our troops, have not yet been able to allege against them a single violation of any of the rules of civilized warfare.

These regiments are hardy, generous, temperate, patient, strictly obedient, possessing great natural aptitude for arms, and deeply imbued with that religious sentiment (call it fanaticism, such as like) which made the soldiers of Cromwell invincible. They believe that now is the time appointed by God for their deliverance, and under the heroic incitement of this faith I believe them capable of showing a courage and persistency of purpose which must in the end extort both victory and admiration.

In this connection I am also happy to announce to you that the prejudices of certain of our white soldiers and officers against these indispensable allies are rapidly softening or fading out, and that we have now opening before us in this department, which was the first in the present war to inaugurate the experiment of employing colored troops, large opportunities of putting them to a distinguished and profitable use.

With a brigade of liberated slaves already in the field, a few more regiments of intelligent colored men from the North would soon place this force in a condition to make extensive incursions upon the mainland, through the most densely populated slave regions, and from expeditions of this character I make no doubt the most beneficial results would accrue.

I have the honor to be, governor, very respectfully, your most obedient servant,

D. HUNTER,
Major-General, Commanding.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, May 5, 1863.

Col. LAFAYETTE C. BAKER,
Washington, D. C.:

SIR: You are hereby authorized by the Secretary of War to raise a battalion of four companies of cavalry for special service, the same to be recruited in the District of Columbia, and to serve for three years or during the war. Each company will be organized as prescribed in General Orders, No. 126, series of 1862, from this office, except for the two teamsters therein named two trumpeters will be received, and the privates will number sixty minimum and seventy-eight maximum. All officers will be selected and appointed by you, subject to the approval of the War Department. The staff, commissioned and non-commissioned, will be detailed from the companies. All musters into service will be made in accordance with the mustering regulations, and by the special mustering officer who may be acting under the orders of this office. When the force is organized you will be appointed to its command with the rank of colonel.

I am, sir, &c.,

E. D. TOWNSEND,
Assistant Adjutant-General.

HEADQUARTERS EIGHTEENTH ARMY CORPS,
New Berne, N. C., May 5, 1863.

Hon. EDWIN M. STANTON,
Secretary of War, Washington, D. C.:

SIR: A letter from Governor Andrew, of date of April 1, is referred to me by the War Department under date of April 27. I have the honor to acknowledge receipt of the same, and in reply beg leave to say:

If it be the policy of the Government and the orders of the proper authorities, I will carry out with my best effort the idea of raising colored troops in this department, but would suggest as my opinion, based on experience, that not more than one regiment, if even that, could be raised in this department by voluntary enlistment, and forced enlistments would of course alienate the negroes, the very object the Governor of Massachusetts wishes to avoid.

I will briefly state the times and circumstances under which I have armed and used negroes in this department. Besides the arming of spies and scouts, which was abandoned, we armed them at Elizabeth City during the time that post was threatened by guerrillas; we obtained about eighty, and they did their duty well enough, but we found they could not be trusted in any outward movement or raid, probably owing to their lack of discipline.

During the late attack on Washington the negroes applied to me for arms, and to strengthen my lines I armed about 120, all I had arms for. They did their duty well and seemed willing to fight—the test was not applied, of course. They seemed to realize that the time was one of emergency and self-preservation, and that they must help; but the emergency having passed, they did not and do not seem willing to enlist. They wish to work for the Government, but to live with their families. Again, here at this post, I received a petition signed by about 120 negroes for arms and organization in the U. S. service. I replied that if names or promises could be received from enough to constitute the nucleus of a regiment, I would consider the matter and be prepared to take action on it. Since then officially I have heard nothing, but unofficially hear that not more than about 300 men or names were obtained.

I wish, however, to state the wishes of the Government, if ordered, will be carried out, not only with obedience (my duty as a soldier), but with zeal, and in such a way as to endeavor to make it popular rather than antagonistic to the feelings of the white troops.

Referring to the postscript of Governor Andrew's letter, I beg leave to say, my orders are to act on the defensive, and that therefore the Fifty-fourth would not be able to participate in "active operations of a brilliant sort;" and, moreover, that white troops can stand the climate of North Carolina very well, but that in South Carolina white troops are very liable to the malarious influences of the climate, which of course negro troops can stand. If, therefore, the Fifty-fourth and other negro regiments could relieve white regiments in that department, the interests of the service would, in my opinion, be doubly served.

I have the honor to remain, sir, very respectfully, your obedient servant.

J. G. FOSTER,
Major-General, Commanding.

EXECUTIVE OFFICE,
Iowa City, Iowa, May 5, 1863.

JAMES B. FRY,
Provost-Marshal-General, Washington City, D.C.:

SIR: Yours of the 27th ultimo, advising me of the appointment of Maj. Thomas Duncan to superintend the operations of the provost-marshal of this State, &c., has reached me. I am much pleased with the arrangement and will render the major all the aid in my power.

N. B. Baker, adjutant-general of this State, has sent me a copy of your letter of the 25th ultimo in regard to the quota of men called for from this State, and of his reply, dated May 1. I concur with him in opinion that Iowa has furnished more than her quota of all calls made by the President, and respectfully trust that you will make further examination of this point. Should your further examination not change your opinion, please send me a statement of the calculation by which you arrive at the result.

It should be remembered that all the troops furnished by this State under the President's call for 600,000 in 1862 were three-years' men. We have sent no troops from this State for less than three years, except the First Iowa Infantry, which, like all the men first called for, were three-months' men. This fact should be considered, and I think by the terms of the conscript law must be considered, in estimating the number of men furnished by a State.

Many of the States in 1862 furnished nine-months' men, perhaps some for a shorter term, and it is unfair that Iowa's three-years' men should stand man for man for nine months more than any other State. I wish to be properly understood. This State will furnish all the men the Government calls for, but it is right and much more satisfactory to have this matter made equal and properly understood.

Very respectfully, your obedient servant,

SAMUEL J. KIRKWOOD.

P. S.—If possible, I desire in case a draft must be made in this State that it be so arranged as to equalize the matter among less districts than Congressional districts. In some Congressional districts some counties are nearly drained of their fighting material, while other counties are to a great extent strong in that material, and the same is true as to some townships in some counties.

When preparations were made by the State authorities for a draft last year, arrangements were made to equalize the matter not only among counties, but among townships, and this arrangement gave very general satisfaction.

S. J. K.

PHILADELPHIA, *May 5, 1863.*

His Excellency ABRAHAM LINCOLN,
President of the United States:

The memorial of the undersigned, a special committee of members of the Union League of Philadelphia, appointed to correspond with the Government on the subject of providing employment for soldiers and seamen who have been honorably discharged from the service of the United States by reason of disabilities incurred while in discharge of their duty, respectfully represent:

That large numbers of meritorious men of this description are now seeking employment or means of supporting their families, and this

class must be constantly increasing from the exposures and casualties of war. European experience indicates that a large proportion of these men might be usefully employed in the lighter military and civil duties connected with the provost guard, the arsenals of construction connected with the Ordnance Department and the depots of the Quartermaster's and Subsistence Departments; the hospital departments, as well as the garrison duties of the forts of the sea-board and the Northern and Western frontiers. Connected with European armies, we find that "corps of invalids" have been successfully established and have proved useful to the public service. We respectfully submit herewith a project upon a small scale for the establishment of such a corps of "National Invalids," and we ask for it a favorable consideration. It is adapted to absorb 12,200 men, and it might be indefinitely extended according to the exigencies of the service. But in the meantime we beg leave respectfully to urge upon Your Excellency that such orders should be given by the various heads of the Government, civil as well as military (namely, the Department of State, the War and Navy Departments, the Departments of the Treasury and of the Interior, and the Post-Office), as shall secure the employment, so far as practicable, of the most competent and deserving men of this class of our citizens, who have a paramount claim upon the justice, the honor, and gratitude of our country.

We confidently believe such measures would meet with the warm approval of all good citizens of every shade of political opinion throughout the land.

G. N. TATHAM,
Chairman.
G. H. CROSMAN, U. S. A.
JOHN H. TOWNE.
WM. WELSH.
T. W. KIMBLE, JR.
JAS. POLLOCK.
CHAS. WHEELER,
Secretary.

We, the undersigned officers and members of the Union League of Philadelphia, cordially unite in the foregoing memorial.

WM. D. LEWIS,
GEO. O. EVANS,
ABRAHAM RITTER,
JOHN GIBSON,
G. EMERSON,
[AND 110 OTHERS.]

[Indorsement.]

MAY 12, 1863.

The within is presented with a very praiseworthy object and is submitted to the War Department, asking the best attention that can be consistently given to it.

A. LINCOLN.

[Inclosure.]

PROJECT FOR A CORPS OF NATIONAL INVALIDS.

It is proposed to organize a corps of "National Invalids," to be composed of officers, non-commissioned officers, musicians, and privates, marines and seamen of the Army and Navy of the United States, of

which the officers have been regularly retired from active service according to law, and the enlisted men honorably discharged for disabilities actually incurred in the public service, and who may still be able to bear arms, to be assigned to such military duties not in the field as they are capable of performing, such as provost guards in the several cities where such guards are required; guards for the several ordnance arsenals, and depots of the Quartermaster's and Subsistence Departments, and the garrison duties for the forts of the seaboard and Northern and Western frontiers.

It is respectfully suggested that this invalid corps should consist of five regiments of twenty-four companies each, and that each company should consist of an aggregate maximum strength of 97 enlisted men and 3 commissioned officers, which would give 100 as the total of each company, and 2,440 as the aggregate strength of each regiment. The five regiments would then consist of a grand total of 12,200 men forming the corps of "National Invalids."

Each regiment should be divided into three battalions of eight companies each, to be commanded by a major when detached, the whole corps to be armed with muskets, but four companies of each of the battalions, or one-half of the whole corps, to be drilled and instructed also in the use of light and heavy artillery. The field and staff and company officers to be selected and appointed by the President of the United States from those of the Regular Army, the Navy, or Volunteer Army who have been disabled and honorably retired or discharged from the public service, and who have most distinguished themselves by long, faithful, or meritorious services. The pay to be one-half, and all other allowances of all kinds for this corps to be the same as now prescribed by law and regulations for the infantry of the U. S. Army, and all promotions in it to be regulated as for other corps and regiments of the Army, giving to all the enlisted men a fair opportunity for promotion according to merit, ascertained by the examination and report of a board of officers convened for that purpose by proper authority in accordance with existing regulations on this subject.

The following is the proposed organization of one regiment and one company of "National Invalids": One colonel, 1 lieutenant-colonel, 3 majors, 24 captains, 24 first lieutenants, 3 battalion adjutants, 1 regimental quartermaster, 3 battalion quartermaster-sergeants, 3 battalion commissary-sergeants, 48 musicians, 24 first sergeants, 96 sergeants, 192 corporals, 1,793 privates; total aggregate of maximum, 2,440.

Company organization: One captain, 1 first lieutenant, 1 second lieutenant, 1 first sergeant, 4 sergeants, 8 corporals, 2 musicians, 82 privates; total aggregate of maximum strength, 100.

WAR DEPARTMENT,
Washington City, May 7, 1863.

Hon. WILLIAM H. SEWARD,
Secretary of State:

SIR: In reply to the offer made by certain Swedish and Danish officers of their services in the Army of the United States, communicated in the note of the minister resident of Sweden and Norway of the 18th ultimo, a translation of which accompanied your note of the 20th, same month, the Secretary of War directs me to say that while this Government fully estimates and cordially recognizes the eminent services rendered to our cause by officers and soldiers of foreign birth,

yet considerations of public policy, connected with our external relations, have dictated the adoption of the general rule to decline the acceptance of the services of officers of foreign allegiance, however distinguished.

I have the honor to be, sir, your obedient servant,

P. H. WATSON,
Assistant Secretary of War.

GENERAL ORDERS, No. 59. } HDQRS. DEPARTMENT OF THE OHIO, *Cincinnati, Ohio, May 7, 1863.*

I. The President of the United States having determined to raise and organize the volunteer force in the State of Kentucky, authorized by an act of Congress, entitled "An act to authorize the raising of a volunteer force for the better defense of Kentucky," approved February 7, 1863, Brig. Gen. J. T. Boyle, of Kentucky, is ordered to co-operate with His Excellency the Governor of Kentucky in raising, organizing, and equipping said volunteer force according to the provisions of the act named, and in conformity to general orders of the War Department.

II. For the purpose of facilitating the speedy enrollment and organization of the forces in Kentucky, post quartermasters and commissaries in this department are directed to supply, on the requisition of authorized recruiting officers, approved by the Governor of Kentucky or General J. T. Boyle, such quartermaster's and commissary stores as may be necessary for the equipment and subsistence of these forces while in process of organization. General Boyle is directed to establish such depots for quartermaster's and commissary stores as may be deemed necessary to the prompt execution of this order, and to make all proper orders for the safety and protection of such depots, subject to the approval of the general commanding this department.

III. Requisitions for ordnance stores will be made by the Governor of Kentucky or General Boyle directly upon these headquarters.

By command of Major-General Burnside:

LEWIS RICHMOND,
Assistant Adjutant-General.

INDIANAPOLIS, IND., *May 7, 1863.*

SECRETARY OF WAR:

I recommend that the conscription be put through with the utmost dispatch (make it large), and that all available force, both land and naval, be at once concentrated to open the Mississippi. That is the vital point.

O. P. MORTON.

STATE OF VERMONT, EXECUTIVE DEPARTMENT,
Brattleborough, May 7, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: The adjutant-general of Vermont has sent me the accompanying papers, and also a copy of your letter to him of April 25, notifying him that Vermont has not furnished her full quota of men under the calls of the President of July and August last.

I have always been determined to send the Government every man called for, and have felt sure that it had been done, and more, too. The accompanying statement by the adjutant-general, taken from the State records, indicates that an excess of men has been furnished.

I am, with high regard, your obedient servant,

FREDERICK HOLBROOK,
Governor of Vermont.

[Indorsement.]

Major VINCENT:

Will you please look into this and be sure we are right. Massachusetts also claims to have furnished her quota; look over that again. They say they furnished many recruits to old regiments before Antietam, and I see they claim that all their regiments (nearly) went in over a thousand strong. Return.

J. B. F.

[Inclosure.]

STATE OF VERMONT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Woodstock, May 6, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: Yours of the 25th instant, giving notice that Vermont has not furnished her full quota of men under the President's calls of July 2 and August 4, 1862, and asking that the deficiency may be apportioned upon the Congressional districts in the State, has been received and has surprised me beyond measure. The State of Vermont has not only furnished all the troops required under the three calls, but an excess over all of 537 men, as you will perceive by the accompanying statement, prepared from the muster-rolls and regimental returns on file in this office, and duplicates of which will be found in the office of the Adjutant-General of the Army.

The State has, as you will perceive, furnished an excess of three-years' men above her quota under the first call of 500,000 and the second call of 300,000 of 612 men, and is deficient but 75 in nine-months' men, leaving a net excess beyond all quotas of 537 men.

It has been the pride and the boast of the State that she has furnished every man required from her by the General Government, and with a degree of promptness not excelled by any one.

I can only express my surprise that the records of the War Department either do not show the number of men actually furnished by her, or else that the excess of men furnished by her beyond her quota under the first call has been entirely overlooked.

Very respectfully, your obedient servant,

PETER T. WASHBURN,
Adjutant and Inspector General.

[Sub-inclosure.]

Quota of Vermont under the first call of the President for 500,000 men for three years	8,160
Quota under the second call for 300,000 men for three years	4,898
Quota under call for 300,000 men for nine months	4,898
Total	17,956

*Number of troops furnished by Vermont under the calls above stated.**

Total troops raised in Vermont, three-years' service, and mustered into U. S. service	13,670
Excess of troops raised in Vermont for three-years' service above the quota of the State under both calls	613
Number of nine-months' men	4,828
Number of three-years' men	13,670
Total number of men mustered	18,498
Excess of troops raised in Vermont and mustered into the U. S. service above the quota of said State under all the calls	587

[MAY 7, 1863.—For Peirpoint to Lincoln, asking that the Governors of Pennsylvania and Ohio be called upon for 4,000 militia each, &c., see Series I, Vol. XXV, Part II, p. 447.]

A PROCLAMATION.

Whereas, the Congress of the United States at its last session enacted a law entitled "An act for enrolling and calling out the national forces, and for other purposes," which was approved on the 3d day of March last; and

Whereas, it is recited in the said act that there now exists in the United States an insurrection and rebellion against the authority thereof, and it is, under the Constitution of the United States, the duty of the Government to suppress insurrection and rebellion, to guarantee to each State a republican form of government, and to preserve the public tranquillity; and

Whereas, for these high purposes a military force is indispensable, to raise and support which all persons ought willingly to contribute; and

Whereas, no service can be more praiseworthy and honorable than that which is rendered for the maintenance of the Constitution and Union, and the consequent preservation of free government; and

Whereas, for the reasons thus recited, it was enacted by the said statute that all able-bodied male citizens of the United States and persons of foreign birth who have declared on oath their intention to become citizens under and in pursuance of the laws thereof, between the ages of twenty and forty-five years (with certain exceptions not necessary to be here mentioned), are declared to constitute the national forces, and shall be liable to perform military duty in the service of the United States when called out by the President for that purpose; and

Whereas, it is claimed by and in behalf of persons of foreign birth within the ages specified in said act who have heretofore declared on oath their intentions to become citizens under and in pursuance of the laws of the United States, and who have not exercised the right of suffrage or any other political franchise under the laws of the United States, or of any of the States thereof, that they are not absolutely concluded by their aforesaid declaration of intention from renouncing their purpose to become citizens, and that, on the contrary, such persons under treaties or the law of nations retain a right to renounce that purpose and to forego the privileges of citizenship and residence

* Details of company and regimental organizations omitted.

within the United States under the obligations imposed by the aforesaid act of Congress:

Now, therefore, to avoid all misapprehensions concerning the liability of persons concerned to perform the service required by such enactment, and to give it full effect, I do hereby order and proclaim that no plea of alienage will be received or allowed to exempt from the obligations imposed by the aforesaid act of Congress any person of foreign birth who shall have declared on oath his intention to become a citizen of the United States under the laws thereof, and who shall be found within the United States at any time during the continuance of the present insurrection and rebellion, at or after the expiration of the period of sixty-five days from the date of this proclamation; nor shall any such plea of alienage be allowed in favor of any such person who has so, as aforesaid, declared his intention to become a citizen of the United States, and shall have exercised at any time the right of suffrage or any other political franchise within the United States, under the laws thereof, or under the laws of any of the several States.

In witness hereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this eighth day of May, in the year of our Lord eighteen hundred and sixty-three, and of the Independence of the United States the eighty-seventh.

[L. S.] ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

HARTFORD, CONN., *May 8, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General U. S. Army:

COLONEL: I have to inform you that yesterday morning I had a highly satisfactory interview with His Excellency Governor Buckingham, in which he took especial care to pledge me for himself and his State officers every possible assistance in the performance of the duty assigned me in this State.

His Excellency regretted to observe that a loyal newspaper, together with many patriotic and well-meaning persons throughout the State, had given out the impression that Connecticut had more than filled her quota, and would not therefore be subject to draft until certain other States had furnished their arrears.

Doubtless gradual steps will be taken to dispel this error in order that a draft may be anticipated at any time.

It is much better that the public mind should be prepared for the discharge of an imperative duty than to be suddenly overtaken with what it may conceive to be an injustice.

In my conversation with His Excellency I remarked that from my observation thus far I judged there would be no difficulty in completing the draft for this State when ordered. He replied that he hoped not, but if there was to be resistance at all, "it might as well be here as anywhere."

I mention this to show you the temper of Governor Buckingham's mind in regard to supporting the Government "without if or ands."

I am, colonel, very respectfully, your obedient servant,

D. D. PERKINS,
Acting Assistant Provost-Marshal-General.

GENERAL ORDERS, No. 118. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, May 9, 1863.*

Paragraph 1, of General Orders, No. 81, War Department, September 19, 1861, so far as it sets forth that the actual traveling expenses of volunteers "sent out to recruit for their regiments," when not furnished transportation in kind, shall be paid out of the fund for recruiting and equipping volunteers, is not intended to apply to the transportation of officers and enlisted men when first proceeding to join the recruiting service, or when returning to their regiments, after having been relieved from the recruiting service. Such transportation is a proper charge against the appropriation for the Quartermaster's Department.

By order of the Secretary of War:

E. D. TOWNSEND.
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, May 11, 1863.

Maj. Gen. JOHN A. DIX,
Comdg. Dept. of Virginia, Fortress Monroe, Va.:

GENERAL: The Secretary of War directs me to transmit for your information the inclosed copies of two letters, with his indorsements thereon, relating to correspondence with the rebel States.

Very respectfully, your obedient servant,

P. H. WATSON,
Assistant Secretary of War.

[Inclosure No. 1.]

DEPARTMENT OF STATE,
Washington, May 9, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I inclose herewith a transcript of a letter of yesterday's date, from Mr. Dresel, consul at Württemberg, &c., at Baltimore, and will thank you to inform me whether the correspondence he refers to can be transmitted through the War Department.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

[Indorsement.]

MAY 9, 1863.

The War Department has not and will not authorize the transmission of any correspondence beyond the military lines of the United States.

EDWIN M. STANTON.

[Inclosure No. 2.]

POST-OFFICE DEPARTMENT, FINANCE OFFICE,
Washington, May 7, 1863.

P. H. WATSON, Esq.,
Assistant Secretary of War:

SIR: By letter from Major-General Dix, of date 2d April last, this Department was informed that no letters would be sent by flag of truce from Fort Monroe unless accompanied by a permit from the War Department.

I now notice in the National Intelligencer what purports to be regulations in regard to letters to be sent beyond the Federal lines, in which the "permission" above noticed is not made a requisite.

I have the honor to request that this Department may be advised of the rules established by the War Department relative to this class of letters.

Very respectfully, yours,

A. N. ZEVELY,
Third Assistant Postmaster-General.
Per L. M.

[Indorsement.]

No rules have been established by the War Department on the subject, and we have no official information of General Dix's regulations which appear in the papers.

E. M. STANTON.

CIRCULAR.] WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, D. C., May 11, 1863.

To ——— ———,
Provost-Marshal ——— District of ———:

SIR: The Secretary of War authorizes the boards of enrollment to divide their districts in such number of sub-districts as will enable them to complete the enrollment within twenty or thirty days from its initiation.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington, D. C., May 13, 1863.

Information has been received by this Department that sundry persons are purchasing horses and mules within the United States for exportation, contrary to the Executive order of November 21, 1862.

To the end that during the present war the military resources of this Government should not be withdrawn from the country, the commandants of departments are directed to prohibit the purchase and sale of all horses and mules within the limits of their respective commands to be exported from the United States, and to take and appropriate to the use of the Government any horses, mules, and live stock designed for exportation, causing the value thereof to be appraised and reported to the Quartermaster-General, and they are enjoined vigilantly to enforce the Executive order of November 21, 1862, prohibiting the exportation of arms, ammunition, or munitions of war. Claims for property taken under this order will be presented to the Quartermaster-General for adjustment.

EDWIN M. STANTON,
Secretary of War.

MEMPHIS, TENN., *May 13, 1863.*

HON. E. M. STANTON,
Secretary of War:

I arrived here last evening and shall proceed to Corinth to-morrow; return on the 16th, and after transacting necessary business here

go to General Rosecrans' army. The First Arkansas Regiment, 1,000 strong, left Helena five days since for Lake Providence to act against the guerrillas. It is well equipped and in a respectable state of discipline. I shall raise several regiments in these regions. Nothing of importance from General Grant's army. Troops are to-day moving from this place to re-enforce the army below.

L. THOMAS,
Adjutant-General.

GENERAL ORDERS, No. 122. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, May 14, 1863.*

General Orders, No. 48, of 1862, paragraph II, is modified as follows:

Transportation for private physicians and nurses to attend sick and wounded soldiers will be provided by the Quartermaster's Department upon the special order of the general commanding a military department or an army in the field.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 123. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, May 14, 1863.*

The acting chief signal officers of departments or armies are authorized, the consent of the generals commanding being first obtained, to appear before the examining board now in session at Washington, D. C.

These officers will, at the discretion of the commanding generals, be temporarily relieved from duty and ordered to Washington for this purpose, and each will return to his station as soon as his examination is completed.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

Exhibit showing the quotas and the number of troops furnished by the State of Connecticut to include May 14, 1863.

THREE YEARS.

Due:	
Quota under calls of 1861	13,057
Quota of 300,000 volunteers, July 2, 1862	7,145
	20,202
Furnished:	
Under calls of 1861—	
1 squadron of cavalry, 1 battery, 1 regiment of artillery (formerly 4th Regiment of Infantry), 9 regiments of infantry (5th to 18th, inclusive)	10,314
Under call July 2, 1862—	
8 regiments of infantry, 1 battery	7,822
Recruits for three-years' regiments	704
Deficiency	1,362
	20,202

NINE MONTHS.

Due:	
Quota of 300,000, nine months	7,145
Furnished:	
7 regiments of infantry (22d to 28th)	5,602
Deficiency	1,543
	7,145

Statement as made from the muster-in rolls on file up to this date.

THREE YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.		Total.
			Heavy.	Light.	
1861.					
1 squadron	.....	324	.....	.....	324
1 light battery	.....	.....	.....	154	154
1st Regiment	.....	.....	1,271	.....	1,271
5th Regiment	936	.....	.....	.....	.....
6th Regiment	975	.....	.....	.....	.....
7th Regiment	976	.....	.....	.....	.....
8th Regiment	995	.....	.....	.....	.....
9th Regiment	784	.....	.....	.....	.....
10th Regiment	982	.....	.....	.....	.....
11th Regiment	920	.....	.....	.....	.....
12th Regiment	1,007	.....	.....	.....	.....
13th Regiment	990	.....	.....	.....	.....
1862 (July).					
14th Regiment	968	.....	.....	.....	.....
15th Regiment	988	.....	.....	.....	.....
16th Regiment	999	.....	.....	.....	.....
17th Regiment	977	.....	.....	.....	.....
18th Regiment	997	.....	.....	.....	.....
19th Regiment	828	.....	.....	.....	.....
20th Regiment	973	.....	.....	.....	.....
21st Regiment	939	.....	.....	.....	16,234
2d Battery	.....	.....	.....	153	153
Total	.....	.....	.....	.....	18,136

NINE MONTHS.

Infantry.	Total.
22d Regiment	928
23d Regiment	848
24th Regiment	661
25th Regiment	846
26th Regiment	814
27th Regiment	827
28th Regiment	678
Total	5,602

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
May 14, 1863.

Exhibit showing the quotas and the number of troops furnished by the State of Vermont to include May 14, 1863.

THREE YEARS.

Due:	
Under quota of volunteers called for in 1861	8,950
Under quota of volunteers called for July 2, 1862	4,898
	13,848
Furnished:	
Under calls of 1861—	
7 regiments of infantry, 1 regiment of cavalry, 2 batteries of artillery, and 3 companies of sharpshooters	8,363
Under call July 2, 1862, for 300,000 volunteers—	
3 regiments of infantry	2,960
Recruits for regiments prior to August, 1862	551
Recruits for regiments subsequent to August, 1862	1,373
Deficiency	601
Total	13,848

NINE MONTHS.

Due:	
Under quota, militia, nine-months', General Orders, No. 94, 1862	4,898
Furnished:	
Under call for 300,000 militia:	
5 regiments of infantry	4,781
Deficiency	117
	4,898

The above numbers are taken from the muster-in rolls on file in this office up to date.

THREE YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.	Sharpshooters.	Total amount.
1861.					
2d Regiment	968				
3d Regiment	885				
4th Regiment	1,042				
5th Regiment	988				
6th Regiment	994				
7th Regiment (February)	941				
8th Regiment	998				6,716
1st Regiment		1,069			1,069
1862.					
1st Battery (February)			147		
1861.					
2d Battery			104		251
1st Company				116	
2d Company				91	
3d Company				100	307
1862.					
9th Regiment (July)	921				
10th Regiment	1,017				
11th Regiment	1,022				2,960
Total	9,676	1,069	251	307	11,323

NINE MONTHS.

Infantry.	Total number.
12th Regiment	987
13th Regiment	954
14th Regiment	957
15th Regiment	934
16th Regiment	949
Total	4,781

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
May 14, 1863.

GENERAL ORDERS, No. 124. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, May 15, 1863.*

The following uniform has been adopted for the Invalid Corps:

Jacket: Of sky-blue kersey, with dark-blue trimmings, cut like the jacket for U. S. cavalry, to come well down on the loins and abdomen.

Trousers: Present regulation, sky-blue.

Forage cap: Present regulation.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 130. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, May 15, 1863.*

In executing the provisions of General Orders, No. 105, from this Department, in regard to the selection of men for the Invalid Corps, medical inspectors, surgeons in charge of hospitals, camps, regiments, or of boards of enrollment, military commanders, and all others required to make the physical examination of men for the Invalid Corps, will be governed in their decisions by the following list of qualifications and disqualifications for admission into this corps:

Physical infirmities that do not disqualify enlisted men for service in the Invalid Corps.

1. Paralysis, if confined to the left upper extremity, and the man's previous occupation fit him for the duty of clerk, orderly, &c.

2. Simple hypertrophy of the heart unaccompanied by valvular lesion; functional derangement of the stomach (dyspepsia); mild chronic diarrhea; simple enlargement of the liver or spleen; a temporary ailment of the kidneys or bladder.

3. Chronic rheumatism, unless manifested by positive change of structure, wasting of the affected limb or puffiness or distortion of the joints.

4. Pain, unless accompanied with manifest derangement of the general health, wasting of a limb, or other positive sign of disease.

5. Myopia, unless very decided or depending upon structural change of the eye.

6. Stammering, unless excessive and confirmed.
7. Loss of teeth or unsound teeth.
8. Porticollis.
9. Reducible hernia.
10. Hemorrhoids.
11. Stricture of the urethra.
12. Incontinence of urine.
13. Loss or complete atrophy of both testicles from any cause; permanent retention of one or both testicles within the inguinal canal.
14. Varicocele and cirsocele.
15. Loss of left arm, left forearm or left hand, if the man be qualified for duty of clerk or orderly.
16. Loss of leg or foot, provided the man have the inclination and aptitude for service in a general hospital, and is recommended for that duty by a medical officer, or if qualified for the duty of clerk or orderly.
17. Old and irreducible dislocation of shoulder and elbow in which the bones have accommodated themselves to their new relations.
18. Muscular and cutaneous contraction of left arm, provided the man may be employed as clerk, orderly, or messenger.
19. Loss of left thumb; partial loss of either thumb.
20. Loss of first and second phalanges of all the fingers of the left hand.
21. Total loss of any two fingers of the same hand.
22. Total loss of index finger of right hand.
23. Permanent extension of any finger of the right hand; permanent extension or contraction of any finger of the left hand.
24. Adherent or united fingers.
25. Loss of any toe or toes except the great toe; all the toes joined together.
26. Deformities of the toes, if not sufficient to prevent walking.
27. Large, flat, ill-shaped feet that do not come within the designation of talipes valgus.
28. Varicose veins not accompanied with ulcerations.
29. Gunshot wounds or injuries not involving loss of function.
30. None of the foregoing infirmities disqualify officers for service in the Invalid Corps.

In all cases where the physical infirmities of officers or enlisted men come within the provisions of the above list they will be recommended for transfer to, or enlistment in, the Invalid Corps; but no one will be admitted into this corps whose previous record does not show that he is meritorious and deserving, and that he has complied with the provisions of General Orders, No. 105, War Department, Adjutant-General's Office, 1863, authorizing an Invalid Corps.

Physical infirmities that disqualify enlisted men for service in the Invalid Corps.

1. Manifest imbecility or insanity.
2. Epilepsy, if the seizures occur more frequently than once a month, and have obviously impaired the mental faculties.
3. Paralysis or chorea.
4. Acute or organic diseases of the brain or spinal cord, of the heart or lungs, of the stomach or intestines, of the liver or spleen, of the kidneys or bladder, sufficient to have impaired the general health or so well marked as to leave no reasonable doubt of the man's incapacity for military service.

5. Confirmed consumption, cancer, aneurism of important arteries.
6. Inveterate and extensive disease of the skin.
7. Scrofula or constitutional syphilis which has resisted treatment and seriously impaired the general health.
8. Habitual or confirmed intemperance or solitary vice sufficient in degree to have materially enfeebled the constitution.
9. Great injuries or diseases of the skull, occasioning impairment of the intellectual faculties, epilepsy, or other serious nervous or spasmodic symptoms.
10. Total loss of sight or other serious diseases of the eye, affecting its integrity and use.
11. Loss of nose or deformity of nose, if sufficient seriously to obstruct respiration; ozena, if dependent upon caries.
12. Deafness.
13. Dumbness; permanent loss of voice.
14. Total loss of tongue; partial loss and hypertrophy or atrophy of tongue, if sufficient to make the speech unintelligible and prevent mastication or deglutition.
15. Incurable deformities of either jaw, whether congenital or produced by accident, which would prevent mastication or greatly injure the speech.
16. Tumors of the neck impeding respiration or deglutition; fistula of larynx or trachea.
17. Deformity of the chest sufficient to impede respiration or to prevent the carrying of arms and military equipments; caries of the ribs; gunshot wound of the lung, if complicated with fracture of a rib.
18. Artificial anus; severe stricture of the rectum.
19. Total loss or nearly total loss of penis; epispadia or hypospadia at the middle or nearer the root of penis; stone in the bladder.
20. Confirmed or malignant sarcocele; hydrocele, if complicated with organic disease of the testes.
21. Excessive anterior or posterior curvature of spine; caries of the spine; lumbar abscess.
22. Loss of a thigh.
23. Wounds, fractures, tumors, atrophy of a limb, or chronic diseases of the joints or bone that would prevent marching or any considerable muscular exertion
24. Anchylosis or irreducible dislocation of the shoulder, elbow, wrist, hip, knee, or ankle joint.
25. Muscular or cutaneous contractions from wounds or burns in degree sufficient to prevent useful motion of the right arm or of the lower extremities.
26. With the exception of those paragraphs which refer to the total or partial loss of an extremity, the foregoing disabilities disqualify officers as well as enlisted men for service in the Invalid Corps.

In all cases where the physical infirmities of an officer or enlisted man come within the provisions of this list, or where his previous record shows that he is not entitled to be received into the Invalid Corps, he will, if in service, be discharged, and if an applicant to re-enter, his application will be disapproved.

Whilst the Government is most anxious to provide for and employ to the best of their abilities those faithful soldiers who, from wounds or the hardships of war, are no longer able to perform active duty in the field, yet it can upon no account permit men undeserving or totally disabled to re-enter its service.

Those faithful soldiers whose physical infirmities are too great to admit of their being of any use in the Invalid Corps will, nevertheless, receive the pensions and bounties provided by law.

It is further announced that no officer or enlisted man shall be entitled to or receive any pension, premium, or bounty for enlistment, re-enlistment, or service in the Invalid Corps. They will receive all other pay and allowances now authorized by law for the U. S. infantry, except the increased pay for re-enlistment. Claims for pensions or bounties which may be due for previous service will not be invalidated by enlistment in the Invalid Corps. But no pensions can be drawn or accrue to the benefit of any man during his service in said corps. The officers and men will be organized into companies of infantry of the same strength as is now authorized by law for the U. S. infantry. No organized brigades, regiments, companies, or parts of companies will be accepted as such. Enlistments in this corps will be for three years, unless sooner discharged.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR No. 1. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., May 15, 1863.*

To ——— ———,
Provost Marshal, ——— District of ———:

SIR: You will please ascertain and report to this office as soon as possible what regiments, parts of regiments, and batteries have been raised in the district of which you are provost marshal.

Very respectfully,

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 2. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., May 15, 1863.*

The provost-marshals of the different districts will see that the provisions of General Orders, No. 105,* current series, from the Adjutant-General's Office, are carried into effect immediately as far as they and the boards of enrollment are required to act under its provisions.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington City, D. C., May 15, 1863.

General L. THOMAS,
Adjutant-General U. S. Army, Corinth:

Your telegram dated at Memphis the 13th instant has just been received. The diligence and success of your labors have given me great pleasure. Please report the number of regiments you have organized, where, and to what extent recruits have been obtained. Please acknowledge receipt of this.

EDWIN M. STANTON.

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* See p. 170.

WAR DEPARTMENT,
Washington City, May 15, 1863.

Governor ANDREW,
Boston:

General Thomas reports that one regiment of colored troops organized by him are now in the field 1,000 strong. Please report what number of recruits you now have.

EDWIN M. STANTON,
Secretary of War.

BOSTON, *May 15, 1863—11.50 a. m.*

Hon. E. M. STANTON:

Fifty-fourth Regiment is full and will be ready to march on 20th. Please order destination and transportation. Fifty-fifth is begun and rapidly progressing.

JOHN A. ANDREW,
Governor of Massachusetts.

HEADQUARTERS DISTRICT OF CENTRAL KENTUCKY,
Lexington, Ky., May 16, 1863.

Hon. J. F. ROBINSON,
Governor of Kentucky, Frankfort:

GOVERNOR: I have received your letter kindly offering to co-operate with me in raising a force for special service in the counties infested by the guerrillas. The plan is also approved by General Burnside.

It is intended to bring this force under the provisions of the 20,000 bill, but I think that when a company is willing to enlist for the war it should by all means be allowed.

This will serve to organize and arm the Union men now hunted and persecuted by the guerrillas, and settle the peace and security of the interior portion of the State.

Under General Orders, No. 59, Department of the Ohio, General Burnside directs General Boyle to co-operate with Your Excellency, but by special authority I am clothed with sufficient power for this particular purpose. If you will permit me to designate two or three recruiting officers, on their raising the men they can be commissioned and I will have them mustered into service. I am anxious to lose no time.

I remain, Your Excellency's most obedient servant,

O. B. WILLCOX.

BOSTON, *May 16, 1863.*

Hon. E. M. STANTON:

I earnestly desire that the Fifty-fourth Massachusetts Regiment may be assigned to General Hunter. This is the wish of its officers

JOHN A. ANDREW,
Governor of Massachusetts.

WAR DEPARTMENT,
Washington City, May 16, 1863.

Governor ANDREW,
Boston:

The Fifty-fourth Massachusetts is assigned to General Hunter's command. You may make requisition upon the Quartermaster's Department for transportation and send them forward at once.

EDWIN M. STANTON,
Secretary of War.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL
OF THE WAR DEPARTMENT,
New York, May 16, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: The necessity of organizing and systematizing my own office and directing the organization of those of the district provost-marshals prevented me from waiting on the Governor of the State of New York with the promptness I desired. The several offices, however, having been arranged in working order, I was enabled on Thursday to proceed to Albany and have an interview with His Excellency Governor Seymour. That interview was in most respects satisfactory. I consider from the tone of his remarks that he will throw no obstacle in the way of the U. S. authorities carrying out the provisions of the act for enrolling and calling out the national forces. He feels quite sanguine that a large proportion of the two-years' men lately mustered out of the service will rejoin the Army, and he intimated that measures had already been taken to induce them and others to enlist by offering respectable bounties, the State Legislature at its late session having appropriated $3,000,000 for that purpose. The Governor alluded to a telegram from you to the effect that you estimated one regiment for three years equal to four regiments for nine months, and reasoning from this he thought that the State of New York had furnished more than the number of men by some thousands than was called for by the proclamation of the President, and further, that the State had sent off a greater number of three-years' regiments in proportion to her population than any other State in the Union. In all probability the Governor will claim, on behalf of the State, credit for all the men who appear on the rolls filed in the office of the adjutant-general of the State. It is well known that a large proportion of these men deserted before the regiments left the State and before they were mustered into the U. S. service. I would urgently recommend that if there is any difference of opinion on this subject between the State and General Government that it be definitely, and, if possible, amicably adjusted as speedily as possible. Until this question is settled it is impossible to determine what proportion of the deficiency is due to each district under my charge. I informed you in a recent communication that I had received from Mr. Cisco the lists of the State enrollment for eight of the districts under my control; that for the first district not being in Mr. C.'s possession, the Governor has promised to have a copy made of it from the rolls in the State offices immediately and forwarded to me.

I am, colonel, very respectfully, your obedient servant,
ROBERT NUGENT,
Colonel Sixty-ninth Regiment New York Volunteers and
Acting Assistant Provost-Marshal-General.

GENERAL ORDERS, No. 137. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, May 18, 1863.*

I. Whenever enlisted men are discharged, after two years' service, under circumstances that entitle them to the bounty provided by the sixth section of the act of Congress approved July 22, and the fifth section of the act approved July 27, 1861, the bounty due and remaining unpaid shall be credited upon their final statements, and be paid, like other arrearages, by the Pay Department.

II. The exercise of the powers given the medical inspectors of the Army to discharge soldiers for disability is suspended until their duties in this respect are defined by regulations to be published hereafter.

III. Paragraph II, General Orders, No. 87, of 1863, is hereby modified so as to allow the assistant surgeon-general, medical inspector-general, and medical inspectors the same number of rooms as offices, and fuel and furniture therefor, as are allowed by regulations to officers of the Quartermaster's Department who have the same rank.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 139. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, May 18, 1863.*

1. The duties of signal officers will be performed by officers of the Signal Corps, or by such competent and instructed officers as may be specially detailed for that purpose. Any superior commander may, in view of probable necessities, detail a limited number of officers and men for instruction; but no details for service will be made until the officers and men to be detailed have passed a satisfactory examination by a board, of which at least two signal officers shall be members, and no incompetent or inexperienced officer will be permitted, by any authority, to transmit signal messages.

2. Signal officers, when on duty, will report to their immediate commander and to the chief signal officer of the army with which they may be serving, for the information of the general commanding, all movements of the enemy or other facts relating to the general interest of the service coming within their knowledge.

3. Communications transmitted by signals are always confidential; they will not be revealed by officers on stations to others than those officially entitled to receive them.

4. The senior officer of any command will be the chief of the signal parties serving in that command. Orders or instructions affecting their duties will be transmitted through him, and he will be held responsible that the officers and men under his charge are fully instructed and properly perform the duties assigned them. He will have charge of all signal duty and will keep himself well informed of the position of the army and of the enemy; and will, under the instruction of the general commanding, so establish his stations that they may be most advantageously posted. He will take care, by inspections and timely requisitions, that his party is well supplied with all equipments necessary to render it effective. He will make, from time to time, the proper reports of his operations in the field to the general commanding, and will, with the assent of the general, forward certified copies of these reports to the office of the Signal Officer. He will make the usual returns and semi-monthly statements,

and at the end of each month a report to the Signal Officer of the Army as to the condition of his party and of such matters as pertain to its particular duties.

5. The examining boards prescribed above may be appointed by the commander of any army, army corps, or department in which signal parties have been or may be authorized.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

MEMPHIS, TENN., *May 18, 1863.*

Hon. E. M. STANTON:

Telegram of the 15th received. Returned from Corinth after addressing the troops at twelve different places. The policy with regard to the blacks enthusiastically received. Have authorized the following regiments: Two at Helena—one full, the other will be completed by the end of the month; five in Louisiana, organizing, from Lake Providence to Young's Point; two in Mississippi. But for the movement of Grant these regiments would have been filled. The plan was to send armed parties across the river and gather in the blacks, but the force left in Louisiana is too small to do much in that way. A number of recruiting officers are with General Grant's army, and I hope by the end of the month all will be filled. In General Hurlbut's corps will be raised one regiment at Columbus, Ky.; one of heavy artillery, 1,200, at Memphis; four at Corinth, Jackson, and on the railroad route to Memphis. Five thousand will be raised in these regions in two weeks. My aim has been to raise 20,000, and I see nothing to prevent it. I am not well, but a little rest will bring me up. My purpose is to proceed to General Rosecrans' army and then return down the Mississippi to see how my plans and orders have been carried out. I find the troops in good condition and in fine health.

L. THOMAS,
Adjutant-General.

CIRCULAR No. 4. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, May 18, 1863.*

Provost-marshals will inform commissioners and surgeons of the Board of Enrollment that the construction put by the War Department upon section 5 of the enrollment act, as given in paragraph 55 of the Regulations, is that the pay of these officers is to be continuous from the time each commissioner and surgeon reports for duty until he is relieved by orders from the War Department.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 5. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., May 18, 1863.*

All official communications relating to the business of this Bureau are to be addressed direct to the Provost-Marshal-General, and not to any of the subordinate officers of his department.

The dress of the provost-marshals when engaged in the duties of their office shall be that of a captain of the general staff, as prescribed in Army Regulations.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington City, May 19, 1863.

Brigadier-General THOMAS,
Adjutant-General U. S. Army, Memphis, Tenn.:

Your telegram received. I congratulate you upon the energy, ability, and success of your operations, and hope your health may enable you to keep at work until you have all the force expected in the field. If any supplies are wanted let me know. Nothing new here. "All quiet on the Potomac."

EDWIN M. STANTON,
Secretary of War.

DEPARTMENT OF STATE,
Washington, May 19, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I have the honor to transmit herewith a copy of a dispatch of the 1st instant, No. 403, from Mr. Adams, our minister to Great Britain, relative to preparations in Europe for smuggling goods into Texas by the way of the Rio Grande.

I have the honor to be, sir, your obedient servant,
WILLIAM H. SEWARD.

[Inclosure.]

No. 403.] LEGATION OF THE UNITED STATES,
London, May 1, 1863.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.:

SIR: In the House of Lords last evening Lord Russell is reported as announcing that the Peterhoff has been sent into the prize court. The effect of this news here will be to prolong the delay in reorganizing the scheme of smuggling by way of the Rio Grande. Seven steamers are now awaiting orders. But I feel it my duty to call your attention to the necessity of taking advantage of it so far as, if possible, to provide in season against the resumption of operations in that quarter.

No equally subtle and dangerous expedient to annul the blockade has yet been devised. The plan has been entered into very deeply by wealthy and influential merchants and capitalists in this city, and it has an intimate connection with the base of the Confederate loan. The interests thus consolidated will press with great force on this feeble ministry if the smallest opening be afforded to complain of any violation of a neutral trade. I know not whether anything short of the possession of the eastern bank of the river will avail to defeat these machinations.

I have the honor to be, sir, your obedient servant,
CHARLES FRANCIS ADAMS.

MEMPHIS, TENN., *May 20, 1863.*

Hon. E. M. STANTON:

Thanks for your telegram of yesterday. To-day I organized the Third Mississippi, over 1,000 negroes for it being now at Grand Gulf. I take the clothing of the army for them, but I think a distinctive dress of less cost would be better—something a little more gay. Can't the Quartermaster-General provide one? I am better and can do full work within doors, but have to avoid the hot sun. General Hawkins passed up yesterday to Louisville, having been prostrated by fever. Even the trip thus far has been of service to him. He has greatly aided me. Colonel Shepard, First Mississippi, should be the next brigadier for blacks. He is one of the oldest colonels, and left the head of a fine regiment because his heart was in the work. He richly deserves promotion and can essentially aid me. Our latest information is that General Grant defeated Johnston, and occupied Jackson.

L. THOMAS,
Adjutant-General.

CIRCULAR No. 6. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., May 20, 1863.*

All provost-marshals who have not already done so, will immediately report to this office the organization of the boards of enrollment for their respective districts, and the steps taken to complete the enrollment with the least possible delay. They will also forward at once the regular tri-monthly report required by paragraph 3, section 97, of the Regulations, and, as far as possible, all the reports and returns specified on page 19 of the Regulations.

JAMES B. FRY,
Provost-Marshal-General.

STATE OF NEW YORK, EXECUTIVE DEPARTMENT,
Albany, May 20, 1863.

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: I will visit Washington at an early day. At this time I am confined to the State capital by the urgent duties growing out of the act of the Legislature of New York for encouraging enlistments. Very liberal bounties will be given to those who will engage in the national service. I am now employed with the members of my staff in organizing a vigorous system for recruiting, which I hope will do away with the necessity for making any draft in New York. When this is accomplished I will see you in Washington.

Truly yours, &c.,

HORATIO SEYMOUR.

MURFREESBOROUGH, TENN.,
May 21, 1863—1.15 p. m.

The PRESIDENT OF THE UNITED STATES:

The Reverend Doctor Jaquess, colonel of Seventy-third Illinois, a man of high character and great influence in the Methodist Church,

has proposed a mission to the South, which, in my judgment, is worthy of being laid before you.

Will you authorize me to send him to Washington for that purpose?

W. S. ROSECRANS,
Major-General.

WAR DEPARTMENT,
Washington City, May 21, 1863.

Major-General ROSECRANS,
Murfreesborough, Tenn.:

For certain reasons it is thought best for Reverend Doctor Jaquess not to come here. Present my respects to him and ask him to write me fully on the subject he has in contemplation.

A. LINCOLN.

GENERAL ORDERS, No. 143. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, May 22, 1863.*

I. A bureau is established in the Adjutant-General's Office for the record of all matters relating to the organization of colored troops. An officer will be assigned to the charge of the Bureau, with such number of clerks as may be designated by the Adjutant-General.

II. Three or more field officers will be detailed as inspectors to supervise the organization of colored troops at such points as may be indicated by the War Department in the Northern and Western States.

III. Boards will be convened at such posts as may be decided upon by the War Department to examine applicants for commissions to command colored troops, who, on application to the Adjutant-General, may receive authority to present themselves to the Board for examination.

IV. No persons shall be allowed to recruit for colored troops except specially authorized by the War Department; and no such authority will be given to persons who have not been examined and passed by a board; nor will such authority be given any one person to raise more than one regiment.

V. The reports of boards will specify the grade of commission for which each candidate is fit, and authority to recruit will be given in accordance. Commissions will be issued from the Adjutant-General's Office when the prescribed number of men is ready for muster into service.

VI. Colored troops may be accepted by companies, to be afterward consolidated in battalions and regiments by the Adjutant-General. The regiments will be numbered seriatim, in the order in which they are raised, the numbers to be determined by the Adjutant-General. They will be designated: "——— Regiment of U. S. Colored Troops."

VII. Recruiting stations and depots will be established by the Adjutant-General as circumstances shall require, and officers will be detailed to muster and inspect the troops.

VIII. The non-commissioned officers of colored troops may be selected and appointed from the best men of their number in the usual mode of appointing non-commissioned officers. Meritorious commissioned officers will be entitled to promotion to higher rank if they prove themselves equal to it.

IX. All personal applications for appointments in colored regiments, or for information concerning them, must be made to the

Chief of the Bureau; all written communications should be addressed to the Chief of the Bureau, to the care of the Adjutant-General.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 144. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, May 22, 1863.*

The following rules are prescribed for the guidance of boards in examining applicants for commissions in regiments of colored troops:

1. The Board will sit every day, except Sunday, from 9 o'clock a. m. to 5 o'clock p. m. The place of sitting to be provided by the Quartermaster's Department, and public notice given.

2. The Board will make to the Adjutant-General, for record in the Bureau for Colored Troops, reports of all persons examined, whether approved or rejected; the reports will be made weekly, or oftener when specially called for.

3. Each applicant must exhibit to the Board authority from the Adjutant-General to appear before it. Such authority will be given upon satisfactory recommendations of good moral character and standing in the community in which the applicant resided, or, if in the military service, on testimonials from his commanding officers. All such recommendations will be filed in the Bureau for Colored Troops.

4. Each applicant shall be subjected to a fair but rigorous examination as to physical, mental, and moral fitness to command troops.

5. The Board shall specify for what grade of commission the several applicants are fit, and shall also classify and number them according to merit or proficiency.

6. Appointments to each grade shall only be made from the candidates approved by the Board, and in the order of merit recommended by it.

7. The report of the Board, if adverse, shall be conclusive, and no person rejected by it shall be re-examined.

8. Other instructions will be communicated to boards if required.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR No. 7. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., May 22, 1863.*

All men who desire to join any particular regiment of cavalry now in the field are hereby authorized to present themselves at any time during the next thirty days to the Board of Enrollment in their respective districts. The Board shall examine them and determine upon their fitness for the service, and if found to be fit the provost-marshal of the district shall give them transportation tickets to the general rendezvous at the headquarters of the acting assistant provost-marshal-general of the State. As soon as they present themselves at this general rendezvous they shall be duly mustered by a mustering and disbursing officer and paid by him the bounty allowed by law.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 8. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., May 22, 1863.*

The attention of all officers who have been honorably discharged on account of wounds or disability, and who desire to re-enter the service in the Invalid Corps, is called to the provisions of General Orders, No. 105, of 1863, from the War Department, published in the papers throughout the country. Such officers are requested to comply promptly with the provisions of that order, and to send their written applications, as therein provided, for positions in the Invalid Corps (stating the character of their disability), with as little delay as possible, to the acting assistant provost-marshal-general of the State in which he may be. Such acting assistant provost-marshal-general will at once forward the applications, with his indorsement, to the Provost-Marshal-General at Washington.

Officers for the Invalid Corps will be appointed immediately upon furnishing the papers required by General Orders, No. 105, of 1863, from the War Department. Their pay and emoluments will commence from date of acceptance of such appointments, and not from date of organization of the respective commands to which they may be assigned.

JAMES B. FRY,
Provost-Marshal-General.

WASHINGTON, D. C., *May 22, 1863.*

Maj. Gen. W. S. ROSECRANS,
Murfreesborough, Tenn.:

GENERAL: The French minister has communicated to the Secretary of State the complaints of French citizens residing in Nashville against an order of Brig. Gen. R. B. Mitchell, which requires them to take an oath of allegiance to the United States or to give a parole and bond in the sum of $5,000; failing to do this, they are to be forcibly placed within the rebel lines. This order, it is said, is general, and is applied to all inhabitants, citizens as well as foreign residents, and to quiet non-combatants, as well as persons suspected of hostile intentions.

Such an order is deemed unnecessarily rigorous in regard to foreigners who quietly pursue their ordinary avocations and take no part in the war. It will, therefore, be so modified as to give no cause of offense to friendly powers.

Very respectfully, your obedient servant,

H. W. HALLECK,
General-in-Chief.

ELMIRA, *May 22, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I have just returned from Albany, where I had a protracted audience with Governor Seymour. My attention—as yours must have been—had been attracted to his remarkable letter to the meeting at the capitol the preceding evening, denouncing the proceeding against Vallandigham. This letter was of course the subject of conversation. My personal relations with the Governor having always been friendly, and much of the conversation having been confidential in its character, I hardly know how to communicate to you

regarding it. I feel authorized, however, to say that the Governor will co-operate with the General Government in such measures as may be adopted for raising armies and carrying on the war. He thinks the question of constitutionality of the law will be raised, but says that is a question for the courts. He wanted me to understand and to communicate to the President that he was exceedingly tenacious in relation to the question of arbitrary arrests. I referred him to the law of Congress upon this subject, as contained in the act authorizing the suspension of the writ of habeas corpus and the act relating to the draft. I understood him to be content if arrests were made in compliance with those provisions, and if my advice were of any value I would suggest that these laws be respected, as they were framed after a great deal of consideration and had the support of the best minds in Congress.

I am in receipt of telegrams from marshals inquiring for blanks, also for instructions. I suppose I will soon be instructed by you and supplied with whatever the marshals are to receive through me. I think it very important that the draft be forwarded with all possible dispatch. In reference to its execution—when the law was first enacted every one expected it would be enforced; now a great many are hoping that it may be avoided.

I think it quite important that a military post be established here if there is not already one.

The returning troops to be mustered out and paid here are but little controlled by their officers, and the civil authorities are timid about punishing the offenses of soldiers. This will be no better when the drafted men are being organized. The State provided barracks here for some 10,000 men, and I think the General Government paid the State their cost and now own the barracks.

I have the honor to be, your obedient servant,

A. S. DIVEN,
Acting Assistant Provost-Marshal-General.

P. S.—I would thank you to show the Secretary of War so much of this letter at least as relates to my interview with Governor Seymour.

HARRISBURG, PA., *May 22, 1863.*

Hon. E. M. STANTON:

I learn an order has been made to stop payment of the officers of the regiments now here and being paid until accounts of ordnance stores are settled at Washington. This order is creating much trouble, and operates oppressively on the officers. I earnestly advise and ask that the order be revoked or modified, or that some arrangement be made to settle the accounts here. Many of the officers are without money, and to retain their hard-earned pay will be hard, if not unjust. A good feeling prevails here, which may be marred if the order is suffered to prevail. In future payment of regiments you will see the propriety of maintaining the feeling of the present, and, if possible, have all the troops return home satisfied. Five regiments were paid off, yours included, before the order arrived. Please answer soon.

A. G. CURTIN,
Governor.

STATE OF VERMONT, EXECUTIVE DEPARTMENT,
Brattleborough, May 22, 1863.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.:

SIR: I have been thinking for some time past that I would write you briefly expressing my individual conviction that it will be better for the Government to fill the old or three-years' Vermont regiments than to consolidate them. I believe that none of our old regiments are yet reduced in numbers to the point for consolidation; but they are liable to be so reduced before long. I have an impression that, as a general rule, it will be better to fill all old and well-proved regiments in the U. S. service than to consolidate them.

Consolidation will dismiss in a somewhat rough and summary manner many valuable officers, at a time, too, when the Government needs the aid of all good men, and especially of all good military officers; and it will also create a great deal of unpleasant feeling in the Army.

The volunteers who early enlisted for three years or the war are, as a whole, characterized by more active and ardent patriotism than the same number of persons at home who could go but have not yet gone into the service. The veteran regiments are worth more to the Government to-day, even when simmered down to not more than 300 well disciplined, able-bodied men, than any new and green regiments of 1,000 men each that the Government can procure. The veteran regiments have borne the heat and burden of the war, all its trials, reverses, disappointments and discouragements; they still stand up firmly and nobly to their duties, desire to fight the war through to a successful termination, and should be permitted to preserve their organization and a continuous record during the war, or their period of service. I know that the old Vermont regiments are worthy of all I now say. Their conduct and services in the recent battles at Fredericksburg prove it.

True, unworthy officers and worthless soldiers found their way more or less into all the old regiments at the outset; but all such characters have been pretty generally sifted out, so that the remainder is now choice and reliable.

Filling up the old regiments, therefore, rather than consolidating them will, as it appears to me, be as politic as it will be just and generous on the part of the Government.

Excuse me, sir, for thus volunteering my opinions. I do it with due respect for the decisions of the Government, and with no thought but to co-operate energetically in such measures as the Government shall judge best to be adopted.

I am, with high regard, your obedient servant,

FREDERICK HOLBROOK,
Governor of Vermont.

CIRCULAR No. 9. WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, D. C., May 23, 1863.

I. The following rules, in connection with the circular from this office of the 22d instant, concerning cavalry recruits, are furnished for the guidance of provost-marshals, and must be strictly adhered to:

1. The recruits having been examined by the Board of Enrollment and found fitted for the duty of soldiers, will, previous to being sent to the general rendezvous, be enlisted by the provost-marshal of the district.

2. As soon as enlisted the recruit will be furnished with transportation tickets to the headquarters of the acting assistant provost-marshal-general of the State.

3. The enlistments will be upon the usual printed forms and in duplicate. These duplicate enlistments, with a descriptive list of each recruit, will be sent to the acting assistant provost-marshal-general of the State, who will cause the descriptive list to be examined, and if found correct, filed with the records of the rendezvous. The duplicate enlistments will be given to the mustering and disbursing officer at the general rendezvous to assist him in the verification of his accounts and in making the necessary musters into service.

A supply of blank enlistments, transportation tickets, and descriptive lists will be furnished immediately from this office.

II. Provost-marshals will take pains, by means of posters and local advertisements, to give as wide a circulation as possible to the circular of the 22d instant.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 10. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., May 23, 1863.*

The following-named officers are announced as on duty in this office, and are empowered to conduct, under direction of the Provost-Marshal-General, the ordinary correspondence connected with their respective branches of business, viz:

General and miscellaneous business.—Col. George D. Ruggles, additional aide-de-camp and assistant adjutant-general; Capt. Henry Stone, assistant adjutant-general of volunteers.

Disbursements, accounts, returns, &c., under the enrollment act.—Capt. S. F. Chalfin, Fifth Artillery, in charge; Capt. H. B. Hendershott, Second Artillery, disbursing officer; Capt. H. C. Wood, Eleventh Infantry, disbursing officer; Capt. James Curtis, Fifteenth Infantry, disbursing officer; Capt. F. H. Barroll, Second Infantry, disbursing officer.

Enrollment, &c.—Capt. Henry E. Maynadier, Tenth Infantry.

Deserters, descriptive lists, &c.—Maj. Chauncey McKeever, assistant adjutant-general.

Invalid Corps.—Col. Richard H. Rush, Sixth Pennsylvania Cavalry.

Accounts of disbursing officers under appropriation for collecting, drilling and organizing volunteers.—Maj. O. D. Greene, assistant adjutant-general.

All official communications for this Bureau must be addressed to the Provost-Marshal-General. The envelopes should be marked "Official business," and should show to which branch the communication relates, by being marked "Disbursements under enrollment act," "Enrollment," "Deserters," "Invalid Corps," or otherwise, as the case may be.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 11. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., May 23, 1863.*

1. Supplies of clothing will be forwarded to each district provost-marshal, who will furnish triplicate receipts for the same, and con-

form in other respects to the provisions of paragraph 1147, Regulations for the Quartermaster's Department. All clothing received by them will be accounted for as prescribed in paragraph 1158 (see Form 51), same regulations.

Provost-marshals are held strictly responsible at the Treasury of the United States for any and all public property which they receive.

2. A secure and dry clothing store-room must be selected, and proper care taken of the clothing at all times.

3. All issues of clothing must be made as prescribed in paragraphs 1151 and 1159 (see Form 52), Quartermaster's Regulations. Particular attention is called to paragraphs 1161, 1162, and 1163, as a strict compliance with them will be enforced.

4. When a drafted man presents himself at the district headquarters he must at once be put in uniform and supplied with one knapsack, haversack, canteen, and blanket. His citizen's dress must be disposed of by himself. He must also be furnished with one knife, fork, spoon, tin cup, and tin plate (see paragraph 115, Regulations for the government of Provost-Marshal-General's Bureau). These latter articles will be purchased by the provost-marshal, in accordance with Regulations for the government of the Provost-Marshal-General's Bureau.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 12. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., May 23, 1863.*

I. The acting assistant provost-marshals-general of the several States will at once, by personal inspection themselves or their inspectors, see that boards of enrollment of the different districts in their respective States are progressing as rapidly as possible in their duties, and that the work of enrollment is commenced and pushed to completion with the least possible delay. The result of the inspection of each district will be immediately reported to the Provost-Marshal-General.

II. Acting assistant provost-marshals-general of States, when traveling on duty in their States, will be paid the actual cost of transportation and porterage, as allowed for officers of the recruiting service when visiting branch rendezvous. Officers detailed as inspectors for acting assistant provost-marshals-general, traveling in those States under orders of the acting assistant provost-marshals-general, and provost-marshals of districts, when traveling on duty in their districts, will be paid in like manner. Accounts of this nature, of officers detailed as inspectors, must be accompanied by a copy of the order under which the journey was performed, and all accounts referred to in this circular will be paid by the disbursing officer of the Provost-Marshal-General's Bureau in this city.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 13. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., May 25, 1863.*

The acting assistant provost-marshal-general of each State will at once open a recruiting rendezvous for the Invalid Corps at or in the immediate vicinity of his headquarters. He will select suitable offi-

cers from those under his immediate orders, to perform, under his directions, the duties of recruiting officers. Suitable enlisted men to serve as recruiting sergeants under these officers will be selected from among those enlisted for the Invalid Corps.

The acting assistant provost-marshal-general in each State will at once take steps to establish, under command of competent officers, a camp of rendezvous for the Invalid Corps in his State. Provision shall be made at this camp for the reception and accommodation of such soldiers as may be transferred to the Invalid Corps from hospitals, convalescent camps, or active regiments, as well as of such men as may be sent to it for enlistment in the corps from the various districts of the State. Men sent for enlistment from districts will report to the commanding officer at the camp immediately upon their arrival thereat, and will present to him at the same time their certificates from the Board of Enrollment by which they were sent. They shall be examined as soon as practicable thereafter by the recruiting officer, and if deemed by him suitable for soldiers in the Invalid Corps they shall be at once enlisted; if not, they shall be rejected, and furnished with a transportation ticket to the headquarters of the district whence they came. Quarters and subsistence shall be provided for them till enlisted or returned to district headquarters, as herein provided for.

In cases where neither camps nor barracks, already hired by or belonging to the Government, can be secured for camps of rendezvous, contracts for the hire of suitable grounds for such purposes for a period not to exceed three months shall at once be made by the respective acting assistant provost-marshals-general, subject to the approval of the Provost-Marshal-General.

The acting assistant provost-marshal-general in each State shall make requisitions on the proper departments for such clothing, camp and garrison equipage, subsistence stores, and other public property as may be required for use at the camps of rendezvous for their respective States. They shall also recommend to the Provost-Marshal-General suitable officers to be detailed for duty at such camps.

Estimates for the camps of rendezvous in the respective States shall be made for companies, as follows, viz:

Maine, 4 companies; New Hampshire, 4 companies; Vermont, 4 companies; Massachusetts, 10 companies; Rhode Island, 3 companies; Connecticut, 5 companies; New York (each assistant provost-marshal-general), 10 companies; New Jersey, 8 companies; Pennsylvania, 15 companies; Delaware, 2 companies; Maryland, 8 companies; Kentucky, 6 companies; Ohio, 15 companies; Michigan, 6 companies; Indiana, 10 companies; Illinois, 10 companies; Missouri, 8 companies; Iowa, 8 companies; Wisconsin, 8 companies; Minnesota, 5 companies; Kansas, 2 companies; District of Columbia, 10 companies.

Companies shall be uniformed, armed, and equipped at the camp of rendezvous as soon as organized, and be sent to such stations as may be designated by the Provost-Marshal-General.

The rent of the camps and recruiting rendezvous herein provided for, expenses of stationery, office furniture, and of other expenses properly belonging to the recruiting service, will be paid upon the prescribed vouchers by the disbursing officer of the Provost-Marshal-General's Department in this city.

Further instructions in detail will be issued by the time the preparations therein required are completed.

JAMES B. FRY,
Provost-Marshal-General.

OFFICE OF THE QUARTERMASTER-GENERAL,
Columbus, Ohio, May 25, 1863.

Hon. P. H. WATSON,
Assistant Secretary of War, Washington, D. C.:

SIR: Under a law passed by the last session of the Ohio Legislature the militia of the State is being rapidly reorganized, and the probability is that within a few weeks we shall have from 8,000 to 10,000 men, uniformed and under drill, who may be depended upon for the preservation of order within the State and for the defense of its border. The Legislature made no provision for arming the militia, under the presumption that the General Government would supply arms and accouterments.

By direction of the Governor, I have now the honor to request authority from the War Department to issue to the militia as many of the Prussian smooth-bore muskets, with the necessary accouterments, now in my hands, as may be required, taking receipts from captains of companies. The number of these muskets on hand is about 7,000, of which number about 4,000 are in condition for issue. They are not arms that can be made serviceable in the field, but in the hands of the militia would answer the purpose of a better gun. I beg the favorable consideration of the War Department to this request and an early reply.

I am, sir, very respectfully, your obedient servant,
GEO. B. WRIGHT,
Quartermaster-General of Ohio.

HARRISBURG, *May 25, 1863.*

Hon. E. M. STANTON:

I have no answer to my dispatch asking that some arrangement be made to relieve the order that stopped the payment of officers until ordnance accounts are settled. It excites much feeling here, and many of the officers are really in great need of their pay. I need not mention to you the good effect the return of all these men satisfied will have on the body of our people. May I not expect an answer this morning?

A. G. CURTIN.

WAR DEPARTMENT,
Washington City, May 25, 1863.

His Excellency A. G. CURTIN,
Governor of Pennsylvania, Harrisburg, Pa.:

SIR: I am instructed by the Secretary of War to say that your telegrams in relation to the stoppage of the pay of officers until their ordnance accounts are rendered have been under consideration by the Department, and it is found that the enforcement of the regulation is indispensable to the service and the Government and cannot be relaxed.

ED. R. S. CANBY,
Brigadier-General and Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, May 25, 1863.

His Excellency A. G. CURTIN,
Governor of Pennsylvania, Harrisburg, Pa.:

Since the telegram to you was sent Lieutenant-Colonel McCartney has called at the Department, and from his statement there appears to be some misunderstanding by the paymasters of the regulations respecting accounts to be rendered by officers. They are required by regulations, based upon law, to render an account of all ordnance and quartermaster's property receipted for by them before they can be paid off. Rendering the account is a compliance with the regulations, but the pay is not to be stopped until the account is settled at the Treasury. If the account is found to be false, the officer may hereafter be punished by indictment, but he is entitled to his pay on the account being rendered. This has always been the regulation, and it cannot be changed without injury to the service. Lieutenant-Colonel McCartney states that the officers can render their accounts, and instructions will be given the paymasters to correct any misapprehensions they may have as to the regulations.

By order of the Secretary of War:

ED. R. S. CANBY,
Brigadier-General.

WAR DEPARTMENT,
Washington City, D. C., May 25, 1863.

His Excellency FREDERICK HOLBROOK,
Governor of Vermont, Brattleborough:

DEAR SIR: I acknowledge the receipt of your letter of the 22d instant. It is not the desire of this Department to consolidate the regiments except where it may be absolutely necessary. The design is to fill up the old regiments by drafted men under the enrollment act. In regard to the importance of keeping up the old organizations, and thus retaining the services of experienced officers, I concur entirely in your opinion. I shall be very glad always to have your opinion upon any subject relative to the service, and will be ready promptly to accept any suggestions that may occur to you. It will probably be found that not much difference of opinion will exist between us.

Yours, truly,

EDWIN M. STANTON,
Secretary of War.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Wheeling, Va., May 25, 1863.

Col. J. B. FRY,
Provost-Marshal-General:

SIR: The officers of the present State government, including Governor Peirpoint and the prospective Governor of the State of West Virginia, Hon. A. I. Boreman, of Parkersburg, Va., having protested against any steps to be taken for some time in West Virginia to enforce the enrollment act, I purpose in a few days, on the return

of Governor Peirpoint from Eastern Virginia, to present to you as fully as possible the reasons urged by them in making this protest.

Very respectfully, your obedient servant,

JOSEPH DARR, JR.,
Major and Actg. Asst. Provost-Marshal-General.

WHEELING, VA., *May 25, 1863.*

Hon. SAMUEL CRANE,
Auditor of State:

SIR: I have the honor to request your opinion (in writing) whether it is advisable or expedient for some time to take any steps to enforce the "Act for calling out and enrolling the national forces" in the State of West Virginia.

If your opinion should be in the negative I request that you will set down such reasons as lead you to that conclusion. I address a similar letter to this to other officers of the State government, as I understand there is a general objection to enforcing the act on the part of those having custody of the public interest in this State.

Very respectfully,

JOS. DARR, JR.,
Major and Actg. Asst. Provost-Marshal-General.

CIRCULAR No. 14. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., May 26, 1863.*

The following regulations and instructions for the recruiting service of the Invalid Corps are published for the information and guidance of all concerned:

SECTION 1.—*General regulations for the recruiting service of the Invalid Corps.*

1. The recruiting service in the various States for the Invalid Corps is placed under charge of the assistant provost-marshals-general as general superintendents for those States, respectively, who will be governed by the following rules and regulations:

2. The superintendents will establish the rendezvous, and so arrange for the rent, subsistence of recruits, and other expenses that the charges may be reasonable, and that the bills therefor may be certified by the recruiting officers in charge and presented for payment to the disbursing officers of the State.

3. Superintendents will see that their depots are kept supplied with sufficient clothing for issues to recruits, and with the arms, &c., necessary for their instruction and full equipment.

4. Camps of rendezvous and instruction will be established at or in the vicinity of the stations of the assistant provost-marshals-general of the several States, under charge of officers of the Invalid Corps, or officers temporarily disabled from active service, and detailed for this duty.

5. Enlisted men honorably discharged on account of disability, desiring to re-enlist in this corps, will present themselves to the Board of Enrollment for the district in which they reside, for examination

by the surgeon thereof, who shall make a personal examination of them, and report the result to the Board of Enrollment.

6. The Board shall then consider each case, and if the applicant is found to fulfill the conditions specified below, the Board shall give him a certificate (according to the form furnished) to that effect, viz:

First. That he is unfit for service in the field.

Second. That he is fit for garrison duty, according to the rules laid down in General Orders, No. 130, War Department, 1863.

Third. That he is meritorious and deserving.

Fourth. That he was honorably discharged from the service on account of disability.

7. The provost-marshal for the district shall furnish the applicant with a ticket of transportation, by the shortest practicable route, to the nearest acting assistant provost-marshal-general of a State (no matter if he be not in the same State), who shall procure such evidence of service and good character as he may deem sufficient; and if satisfied that it is a meritorious case, and that the man is not intemperate, and is deserving, he will enlist him.

8. In case the applicant is rejected for any cause by the acting assistant provost-marshal-general, he will be furnished with a ticket to return to the district whence he came.

9. The term of enlistment in the Invalid Corps shall be three years or during the war. Enlistments shall be made upon printed forms to be furnished for the purpose. They will in all cases be made in duplicate.

10. One copy of each enlistment will be delivered to the disbursing officer, to assist him in the examination and verification of accounts, and will be sent with those accounts, at the end of each quarter, to the Provost-Marshal-General at Washington; and the other copy will be sent by the superintendent to the Provost-Marshal-General, with a consolidated return of the recruiting parties for the month, on the first day of the succeeding month, or as soon thereafter as practicable.

11. Recruiting officers will send to the superintendents a return of their recruiting parties for each month on the first day of the succeeding month. They will also make tri-monthly reports of the state of the recruiting service to the superintendent, which shall be forwarded to the Provost-Marshal-General.

12. Detachments of recruits will be furnished with at least two days' cooked rations before starting from one depot for another. If delayed in any city en route a detachment will be marched to the "soldiers' rest," where additional cooked rations will be issued to the men sufficient to last till their arrival at the next "rest," or at the destination of the detachment, according to circumstances. Superintendents of the recruiting service for State or district provost-marshals will see that this order is executed.

13. If possible, subsistence will be issued in kind, as required in the regular service. If subsistence cannot be furnished in kind, and board be necessary, it will be furnished at a rate not to exceed 30 cents per diem.

14. Commutation in lieu of rations in kind will not be paid to recruiting parties while at their stations.

15. The officers or non-commissioned officers in charge of detachments en route are responsible that the rations are not wasted; also, that such as are required are obtained at the "rests." Purchases of articles of food on public account are not authorized.

16. All other details will be conducted in the manner prescribed in the Regulations for the Recruiting Service in the Regular Army.

17. The premiums for accepted recruits as laid down in paragraph 1315 General Regulations, will not, however, be allowed in the Invalid Corps service.

SECTION 2.—*Detailed instructions.*

1. Companies will be organized of the minimum strength authorized by law for infantry. A fair proportion of non-commissioned officers, &c., will be assigned or appointed to each company. Invalid officers capable of performing the duty may be temporarily assigned as company officers, who will take immediate charge of the companies. They may afterward be appointed in the Invalid Corps when the requirements of General Orders, No. 105, are complied with. Each company will, as far as practicable, be formed of men of different States.

2. Duplicate muster and descriptive rolls will be made out, one to be retained by the company commander and one sent to the Provost-Marshal-General.

3. If any men are transferred from active regiments and assigned to companies of the Invalid Corps, the rolls must show the company, the regiment, and the State to which such men belong. The heading and indorsement of these rolls will be altered so as to read * * * First (or Fourth, or Sixteenth) Company, First (or Second, or Third) Battalion Invalid Corps, organized at ———. These rolls will be signed by the officers making the inspection and assignment, and will be filled up with descriptive lists, clothing account, &c., as far as the records will permit.

4. Men enlisted in or transferred to the Invalid Corps will be required to perform all duties within the limits of their physical capacity, as laid down in the rules and regulations for that corps, but for the convenience of service they will be selected for three grades of duty. Those who are most efficient and able-bodied, and capable of using the musket, and performing guard duty, light marches, &c., will be assigned to companies of the First Battalion. Those of the next degree of physical efficiency, including all who have lost a hand or an arm, to the companies of the Second Battalion. Those who are least effective, and including all who have lost a foot or leg, to the companies of the Third Battalion.

5. For present convenience, the companies of each battalion will be numbered from one up, according to the number organized at any one place. The battalions will be numbered first, second, and third, according to the grade of efficiency of the men; but care will be observed to designate the place where the company is organized, as First Company, First Battalion, Invalid Corps, organized at Convalescent Camp, Alexandria, Va.; Fifth Company, Second Battalion, Invalid Corps, organized at Depot Camp, at Harrisburg, Pa.; First Company, Third Battalion, Invalid Corps, organized at Portsmouth Grove Hospital.

When these rolls are received at the Provost-Marshal-General's Office at Washington, and the invalid officers are appointed, they will be assigned to companies, and the companies will be lettered as A, B, C, &c., and battalions assigned to regiments and numbered. Men of every State will, as far as practicable, be assigned to the same company, and no companies will be formed of men all from one State.

JAMES B. FRY,
Provost-Marshal-General.

HARRISBURG, PA., *May 26, 1863.*

Hon. E. M. STANTON:

The delays and want of certainty—it may be unavoidable—have produced a state of feeling here much to be regretted. The men are leaving, restless, and serious riots have occurred, and are threatened. The paymasters have not commenced to pay. On the principle stated by General Canby, men are mustered out and not paid, and as the rations are stopped the men are dissatisfied. I do not wish to trouble the Government with complaints, but feel it my duty to it and the men to earnestly ask you to direct that more dispatch be used by the officials here.

A. G. CURTIN.

WAR DEPARTMENT,
Washington City, May 26, 1863.

His Excellency A. G. CURTIN,
Governor of Pennsylvania, Harrisburg, Pa.:

Instructions to pay were given to the Paymaster-General this morning. He will communicate them by telegraph to the paymaster at Harrisburg.

ED. R. S. CANBY,
Brigadier-General and Assistant Adjutant-General.

HARRISBURG, PA., *May 26, 1863.*

Hon. E. M. STANTON,
Secretary of War:

The following order from Paymaster-General Andrews has been received by paymasters here, viz:

You will pay all discharged officers of volunteer regiments upon rendition of their accounts, certified by the mustering officer.

It affords no relief, the mustering officer refusing to certify the accounts. This is not my business, but I would respectfully, but earnestly, advise that something be done to enable officers to get their pay. The mustering officers say that the order relieves the paymaster, but imposes all responsibility on them.

A. G. CURTIN,
Governor.

CIRCULAR No. 15. WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, D. C., May 27, 1863.

I. Provost-marshals are informed that blanks of all kinds will be furnished from this office. The necessary books of record are to be purchased by the provost-marshals, and the bills therefor, properly vouched, forwarded for payment by this Bureau.

II. Hereafter but a single copy of the tri-monthly reports of business and general transactions will be required at this office, and section 3, paragraph 97, page 19, of the Regulations is amended accordingly. These reports must be promptly rendered on the 10th, 20th, and last days of each month. All the accounts, reports, and returns called for on page 97, Regulations, must be made promptly whether any transactions have taken place or not.

III. The Provost-Marshal-General is authorized to frank and receive letters by post, free of postage. They should hereafter be left unpaid.

JAMES B. FRY,
Provost-Marshal-General.

LOUISVILLE, KY., *May 27, 1863.*

Hon. E. M. STANTON:

In order to organize the force of 20,000 men in Kentucky as rapidly as possible, it is necessary that $250,000, at least, should be advanced to the State of Kentucky on account of the Government indebtedness to her, mainly to be used in giving the soldiers the advanced pay for one month. I hope I may be authorized to assure the Governor at once that this will be done. I have already sent a paper to this effect, and have also telegraphed on the same matter.

A. E. BURNSIDE,
Major-General.

COLUMBUS, OHIO, *May 27, 1863.*

Hon. E. M. STANTON:

I have read your Order No. 143 and like it much. Think a colored regiment can be promptly raised in Ohio. A camp of rendezvous should be at Dennison. The board for examination of applicants for recruiting commissions should meet at this place. I have encouraged recruiting for the Massachusetts regiment, which I wish to stop if an effort is to be made to get up a regiment in this State. Please answer.

DAVID TOD,
Governor.

WAR DEPARTMENT,
Washington City, May 27, 1863.

Governor TOD,
Columbus, Ohio:

I am glad you approve General Orders, No. 143. It is the design of the Department to raise colored troops wherever it can be done, but I think it would be well to let Governor Andrew go on and raise what he can to fill up his regiment. He has devoted so much time and attention to the subject that his experience will be of much service in guiding you and the Department in the details, and if it proves a success there will be enough left to give you a regiment or more in Ohio.

EDWIN M. STANTON,
Secretary of War.

TREASURY DEPARTMENT,
May 28, 1863.

Hon. E. M. STANTON:

SIR: I have carefully considered the communication of Major-General Banks to Major-General Halleck placed by you in my hands yesterday.*

He asks instructions as to the disposition of staple products and other movable property found in his department, and particularly

*See May 4, Series I, Vol. XV, p. 309.

during his recent advance, and recommends that all persons within his lines be permitted to bring their products to New Orleans for sale, paying to the Government 50 per cent. of the proceeds.

There are four classes of property in the insurrectionary districts—confiscated, abandoned, captured, and purchased property. Confiscated property is that which belongs to certain classes of persons and is liable to seizure and condemnation by judicial proceedings. Abandoned property is that which has been deserted by its owners and is voluntarily abandoned by them to the civil or military officers of the Federal Government. Captured property is understood to be that which is seized or taken from hostile possession by the military or naval forces of the United States. Under the head of purchased property may be included that which is the subject of sale and purchase under the license of the President, through permits granted by officers of the Treasury Department.

The first of these classes of property includes much that may be also regarded, until confiscation is enforced through judicial proceedings, as belonging to one or more of the other classes.

The property seized by General Banks belongs to the second class, and its disposition is already determined by law and the orders of the War Department. So far as the property is useful to the army, it is to be turned over to the quartermasters or commissaries; so far as it is not so required, it is to be turned over to the agents of the Treasury Department.

The State of Louisiana having been declared, by proclamation of the President, in a state of insurrection, and the port of New Orleans being excepted from the effects of that proclamation, all trade between that place and other portions of the State of Louisiana, except in accordance with the regulations and orders referred to, is illegal. But, with a view to the same end as that contemplated by Major-General Banks, the Hon. B. F. Flanders has been appointed supervising special agent for the States included in the Department of the Gulf, to take charge and dispose of all captured or abandoned property, and also to supervise all permitted trade. The collector of the port of New Orleans has been authorized, under the directions of the supervising special agent, to grant permits, on certain terms, for the purchase of cotton and other staples within the lines occupied by the army. This will enable parties whose property may not be considered fit subject for capture, and who may desire to sell it, to dispose of it to the best advantage, subject to a proper contribution to the Government, and will enable them also to obtain such supplies as may be permitted without too much risk of their being carried to the rebels. Mr. Flanders has been instructed to confer fully with Major-General Banks and to act in concert with him.

The communication of Major-General Banks is herewith returned.

Yours, very respectfully,

S. P. CHASE,
Secretary of the Treasury.

[Indorsement.]

MAY 29, 1863.

Referred to the General-in-Chief for answer to the communication of General Banks of the 4th of May. The Department does not deem it necessary to give any other or further instructions except a reference to the act of Congress and trade regulations of the Treasury Department, which are doubtless well known to Major-General

Banks. It is desirable that there should be no unnecessary interference by the military authorities with commercial transactions.

EDWIN M. STANTON,
Secretary of War.

EXECUTIVE DEPARTMENT,
New Orleans, La., May 28, 1863.

Hon. EDWIN M. STANTON,
Secretary of War, Washington, D. C.:

SIR: I have the honor to transmit to you, with the request that it may, if deemed advisable by you, be also submitted to the President of the United States, a copy of correspondence between the committee representing nearly all the loyal citizens in New Orleans and Jefferson and this department.

As the State of Louisiana will probably be the first of the seceded States to re-establish a State government under the Constitution of the United States, the question as to the mode of accomplishment of this result becomes one of great importance.

I have not thought it proper to take any definite action upon the subject of the call of a convention before laying before the Secretary of War and President the plan submitted to me.

The constitution of Louisiana as it existed prior to the passage of the ordinance of secession made the whole population, free and slave, the basis of representation. A comparison of the parishes of Jefferson and Tensas will show the inequality of this representation. Tensas under the constitution of 1852, with a white population of 1,479 and an aggregate of white and black, 16,078, would be entitled to a representation equal to that of Jefferson with a white population of 9,965 and an aggregate population of 15,372.

One of the purposes of those who desire a convention is to have the basis of representation equal.

They would also probably make the new or amended constitution more conformable to the spirit of the age and the policy of the Government in relation to the institution of slavery.

I respectfully submit these questions for your consideration, and ask for such suggestions and instructions with reference to my own action as you may deem advisable.

With great respect, I have the honor be, your obedient servant,

G. F. SHEPLEY,
Military Governor of Louisiana.

[Inclosure No. 1.]

NEW ORLEANS, LA., *May 23, 1863.*

Brig. Gen. GEORGE F. SHEPLEY,
Military Governor of Louisiana:

GENERAL: At a meeting held on Thursday, the 21st of May, of delegates from the various Union associations of New Orleans and Jefferson, said delegates constituting a general committee from said associations, and appointed to take into consideration and prepare a plan, to be proposed for your sanction and co-operation, for calling a convention of the loyal people of Louisiana to frame a new State constitution, the undersigned, president and secretary of said general committee, were instructed to present to you the accompanying report as the result of the committee's deliberations.

In executing this duty the undersigned avail themselves of the occasion to say that the general committee of which they are the organ represents all of the active and unconditional Union men of the cities of New Orleans and Jefferson, and that the conclusions arrived at in this report are the results of long and thorough deliberation.

We respectfully solicit your aid and assistance to carry out the wishes of the Union men we represent, and the benefit of your wisdom and counsel in the undertaking.

We also avail ourselves of the occasion to express to you the high sense entertained by the Union associations we represent, and by ourselves individually, for the patriotic and useful labors you have performed for Louisiana and our beloved country at large, and we have the honor to be,

Your most obedient servants,

THOMAS J. DURANT,
President of the General Committee.
JAMES GRAHAM,
Secretary.

[Sub-inclosure No. 1.]

A plan of proceedings for the calling of a convention of the loyal citizens of Louisiana, to the end of framing a new State constitution and of re-establishing civil government under the Constitution of the United States, said plan having been adopted by a meeting of delegates from the various Union societies of this city and the parish of Jefferson, at their sitting of the 21st May, 1863, with directions to have the same signed by the president and secretary of said meeting, and presented to Governor George F. Shepley for his consideration, viz:

I. That the loyal people of Louisiana desire that there be framed a new constitution adapted to the change of circumstances and conditions produced by the rebellion.

II. That to frame a new constitution it is necessary that a State convention be called, representing the loyal people of Louisiana.

III. That the convention so called should hold their sessions at the Municipal Hall in the city of New Orleans.

IV. That every loyal free white male citizen of the United States, and those who have declared or may declare their intentions to become citizens of the United States, over the age of twenty-one years, who have resided six months in the State and one month in the parish, and who shall comply with the additional requirements hereinafter prescribed, shall have the right to vote for delegates to the said convention.

V. That the delegates to the said convention shall be elected on a basis of one delegate for every 2,500 of the free white people of each parish as shown by the census of the United States for 1860, giving one delegate for every fraction of said people in each parish over 1,250, and also giving each parish at least one delegate. The apportionment proposed is illustrated in the annexed table, marked A.*

VI. To secure the election against illegal or disloyal votes, a registry of all loyal voters should be taken in every parish in the State by commissioners, loyal citizens of the United States, especially appointed to make such registers. No one should be admitted to any such registry who does not first come forward and subscribe his name to the

* Not found.

following oath or affirmation, which shall also be taken and subscribed by the said commissioners.

OATH OR AFFIRMATION.

I, (A. B.), do solemnly swear (or affirm) that I am a citizen of the United States (or, I have declared my intentions to become a citizen of the United States); that I have resided six months in this State and one month in this parish; that I am of the age of twenty-one years and upward; that I will bear true allegiance to the Government of the United States, and that I solemnly repudiate any and all allegiance to and connection with any other government or pretended government, and especially the so-called government of the Confederate States; that I now register myself as a voter, freely and voluntarily, for the purpose of organizing a State government in Louisiana loyal to the Government of the United States.

VII. Those not registered will not be permitted to vote.

VIII. That to carry into effect the foregoing suggestions the approval and co-operation of the Governor, General George F. Shepley, be solicited, and that he be respectfully requested:

1. To order the said registration of loyal voters of the State, and to that effect to appoint one or more loyal citizens of the United States as commissioners of registration in each parish, with directions to register the names of all citizens of such parish who shall have taken and subscribed the said oath.

2. On the completion of such registries, or at the expiration of the time during which they will be kept open, to order an election to be held on a day fixed, not less than thirty days from the date of the proclamation of such elections for delegates to the said convention.

3. To order the delegates so elected to meet in convention in New Orleans on a day to be fixed, not less than twenty days after the election of delegates.

THOMAS J. DURANT,
President of the General Committee.
JAS. GRAHAM,
Secretary.

[Sub-inclosure No 2.]

Resolutions adopted by the meeting of delegates from the various Union associations of the city of New Orleans and the parish of Jefferson, held on the evening of the 21st May, 1863, with directions to have the same submitted to General George F. Shepley, Governor of the State of Louisiana.

Resolved, That to effect the object of the report in the most efficient manner this central committee will undertake such organization and preparations and continue their efforts until said object is effected; that this committee will be increased by the admission of delegates from other unconditional Union associations from time to time as they present themselves for admission.

Resolved, That for more promptly and efficiently conducting operations a sub-committee be appointed, who shall receive instructions from and report to this general committee. They will confer with and solicit the co-operation of the authorities, military, State, and municipal; open correspondence by writing or otherwise with the country parishes; raise means to defray the expenses of the measures that may be found needful and proper, &c. Said sub-committee to

consist at first of eleven members, to be increased hereafter to thirteen members, at the pleasure of this committee, and they shall keep full records of their proceedings. They shall secure a suitable room for their use and that of this committee, which shall be open during business hours to the members of this committee, but closed to the public.

Resolved, That the respective associations may withdraw or change their delegates to this committee at their pleasure, the committee having the right to judge of the qualifications of the delegates, and the members of the sub-committee will be subject to removal therefrom by a vote of a majority of this committee, at a regular meeting upon a motion made at a previous meeting.

Resolved, That the proceedings of this committee and of the sub-committee shall be conducted according to the rules of the United States House of Representatives.

THOMAS J. DURANT,
President of the General Committee.
JAS. GRAHAM,
Secretary.

[Inclosure No. 2.]

STATE OF LOUISIANA, EXECUTIVE DEPARTMENT,
New Orleans, May 25, 1863.

THOMAS J. DURANT, Esq., *President*, JAMES GRAHAM, Esq., *Secretary, of the General Committee of the Union Associations of New Orleans and Jefferson:*

GENTLEMEN: I have the honor to acknowledge the receipt of your communication of the 23d instant, submitting to me, in behalf of the various Union associations of the parishes of Orleans and Jefferson, a plan of proceedings for the calling of a convention of the loyal citizens of Louisiana to the end of framing a new State Constitution and of re-establishing civil government under the Constitution of the United States.

I cannot but feel that the suggestions you make are deserving of the highest consideration as the conclusions to which the members of these associations have arrived after long and thorough deliberations, fully conscious, as I am, that in the ranks of these associations are numbered a very large majority of the loyal and patriotic citizens of these two parishes, who are laboring to re-establish in Louisiana a civil government under a State constitution, republican in form, and under the Constitution of the United States.

The ordinance of secession was adopted in a convention of delegates purporting to represent the people of Louisiana. Had the basis of representation been such as to have given a fair and equal representation to all the voters of the State, it is well known that the secession ordinance could never have been passed, and this State would have been spared the horrors and calamities of a civil war.

It is certainly most fitting, if not indispensable, that the act of renewal of allegiance to the Union by the State should be, as the act of disruption of allegiance purported to be, the expression of the will of a convention of delegates fresh from the people.

What the basis of representation to that convention should be is a question more properly to be decided by the people themselves than by me or any other military authority.

The more directly this movement emanates from the people themselves the more free it is from all extraneous influences, the more

surely will the action of this convention command the acquiescence and secure the ratification of the people of Louisiana. No shadow of suspicion of military dictation should darken the future page of the brilliant record of returning loyalty and renewed devotion to the Union and the Constitution.

Whatever, therefore, I may do in furtherance of your views in relation to the call of a convention must be rather in aid of the expression of the popular sentiment than as originating, much less dictating, any form of expression or mode of action.

The only immediate action you desire on my part is, that I should order a registration of the loyal voters of the State and appoint one or more loyal citizens of the United States as commissioners of registration in each parish, with directions to register the names of all citizens of such parish who shall have taken and subscribed an oath of allegiance to the United States, and repudiation of any allegiance to the so-styled Confederate States.

This registration I shall immediately order to be made of those voters who voluntarily come forward to register themselves.

I invite the co-operation and assistance of your committee and of the associations they represent, not only by recommending suitable persons for commissioners in the various parishes, but in every legitimate and honest effort to secure a full registration of all loyal voters.

I defer any action upon the second and third propositions in the concluding clause of the plan submitted to me until I shall have had an opportunity to receive definite instructions on the subject, and also to afford an opportunity for the expressions of the sentiments of the people in the other parishes in the State.

I cannot close this communication without expressing to you individually and to the associations you represent my heartfelt gratitude for the generous manner in which you have alluded to my public labors in Louisiana. From my first advent in Louisiana my most earnest desire has been to see the State restored to its pristine prosperity in the Union and its pristine loyalty to the Constitution. No citizen of Louisiana desires more earnestly than I do to see a civil government re-established on that basis.

With the assistance of your associations in dispelling the delusions of treason from the minds of the people, with the aid of our gallant and victorious army, which will soon drive the last armed rebel from the soil of Louisiana, and with the blessing of that Providence which has ever presided over the destinies of the Union, I expect soon to witness its accomplishment.

To that end I pledge you my unceasing efforts.

With the assurance of my full appreciation of the patriotism and loyalty of the members of the Union associations and the high respect and sincere regard I entertain for yourselves individually,

I have the honor to be, most respectfully, your obedient servant,

G. F. SHEPLEY,
Military Governor of Louisiana.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Wheeling, Va., May 28, 1863.

Col. J. B. FRY,
Provost-Marshal-General:

SIR: I have the honor to inclose letters of H. J. Samuels, adjutant-general State of Virginia, and Samuel Crane, auditor of State,

referring to the present inexpediency of enforcing in West Virginia the enrollment act. I am promised others on the subject which will be duly forwarded when received.

Very respectfully, your obedient servant,

JOS. DARR, JR.,
Major and Acting Assistant Provost-Marshal-General.

[Indorsement.]

Tell Major D. that I do not think his action wise in inviting this discussion. The organization of the State under the enrollment act and the enrollment (which is taking the census of the fighting men) does not prove that a draft will be made. It is procuring information necessary to the Government for future military purposes, and a draft may or may not follow it. It is certain no draft will be made without giving every State due credit for all the men it has furnished. Tell him to secure recommendations from the leading men in each district for a provost-marshal, commissioner, and surgeon in each, with a view to organizing boards of enrollment under the law.

J. B. F.

[Inclosure No. 1]

THE COMMONWEALTH OF VIRGINIA, EXECUTIVE DEPT.,
Wheeling, May 28, 1863.

JOSEPH DARR, Jr.,
Major and Military Commandant, Wheeling, Va.:

Yours of the 26th instant did not reach me until this morning by reason of a mistake of the messenger.

You ask my opinion as to the expediency of enforcing the "Act for calling out and enrolling the national forces" in West Virginia.

I am of opinion the public interests would be subserved by a non-enforcement of the act aforesaid for the following reasons:

First. West Virginia has contributed some four or five regiments more than her quota under the previous calls of the President.

Second. This contribution has been heavier on her loyal men because of the disloyal element therein, all of whom were included in the basis estimate upon which the calls were made.

Third. Full 50 per cent. of her fighting men are now in defense of the Government either as U. S. volunteers or State companies.

Fourth. A conscription would result in adding to the Confederate forces as many persons as our Army would gain in West Virginia.

Fifth. The male population of West Virginia if further withdrawn from agricultural pursuits, will prevent subsistence from being raised therein for the inhabitants, the production having already reached the minimum necessary for that purpose.

Sixth. The roving bands of guerrillas, thieves, and plunderers would be able to carry on their business more successfully in the same ratio that the owners of property are withdrawn from its protection.

Seventh. The share of West Virginia can be raised by volunteers if they are permitted by the terms of their enlistment to remain in the State while the war is waged therein.

I am, sir, your obedient servant,

H. J. SAMUELS,
Adjutant-General Virginia.

[Inclosure No. 2.]

AUDITOR'S OFFICE, *Wheeling, May 27, 1863.*

Maj. JOSEPH DARR:

DEAR SIR: Your letter of the 25th instant, requesting my opinion (in writing) upon the propriety of enforcing the late act of Congress providing for the calling into active service as much of the militia of the several States of the Union as in the opinion of the President the public exigency may require, is before me.

In reply I would most respectfully suggest that such a thing at this time would tend greatly to injure the Union cause in West Virginia. There is throughout the State an almost universal opinion that West Virginia has up to this time furnished more than her just proportion of the Union soldiers now in the field, and until the impression is removed (if false) the people of the State would not willingly respond to a call for more of her men. But if the fact stated be not true, and the people could be made to so understand it, it would be unnecessary for the Government to do more than to make the fact known and the loyal men of West Virginia would see that the State did her whole duty to the Union.

When all the loyal States of the Union are placed upon the same footing in this respect and more men are needed to put down the rebellion, West Virginia will, without legal process, furnish the Government her just proportion of all the men required.

West Virginia has no nine-months' or one-year's soldiers in the field. All of her sons entered for three years or during the war, and if more is required of her, she will give them also for the end of the war, but I know her proud sons will never submit to the disgrace of conscription.

Another fact not generally known is that in almost every county in the State there are volunteer companies raised and equipped by the State to defend themselves against the attack of guerrilla parties who constantly infest our borders, and these men could not be spared from their counties without depopulating the whole country. The Western and Northern States are free from this pestilence—their citizens when called into the service of the United States can leave their families and homes free from this danger.

Under the impression that she has furnished more than her just quota of Federal soldiers, and for the reason that to call them into the service away from home would endanger the safety of their families and property, I am of the opinion that any attempt arbitrarily to force the men of the State into the service at this time would be regarded by the people generally as highly injurious. Many I know who would if necessary go voluntarily would not submit to be drafted or conscripted.

We have also lately been raided upon by a large force of rebels and the Union men have been compelled to fly for safety to the Federal Army, leaving their families to the mercy of the rebels, and the Union sentiment is somewhat demoralized by this circumstance. I am, therefore, of the opinion that no attempt at this time should be made to execute this law in West Virginia.

Yours, &c.,

SAMUEL CRANE.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Madison, Wis., May 28, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: The provost-marshal of the First District established his office at Milwaukee the 18th instant, and immediately commenced the enrollment.

Sometime in the afternoon of that day one of the enrolling officers was attacked by an Irishman with a spade and received a severe cut in the face. The Irishman was assisted by several women, who pelted the enrolling officer with stones, &c.

This was reported to me verbally while I was at Milwaukee. On the 23d the deputy provost-marshal at Milwaukee, Mr. J. Hood, came to see me, and represented that in his opinion it would be impossible for the enrolling officers to perform their duty without the presence of an organized military force. I therefore requested that the commanding general of the Department of the Northwest would cause two companies of infantry to be stationed there.

To this General Pope wrote me the 25th instant that there was little to be apprehended anywhere else in Wisconsin in actual resistance to the conscription law, nor did he think there would be difficulty at Milwaukee if things were managed prudently. That he knew nothing of the assistant there personally nor of the reason which prompted his application for troops, but he knew he expressed the sentiments of the most loyal citizens in saying there would be no resistance to the operations of the provost-marshal if he was a man of discretion, and that he would with pleasure aid me in every way in his power; that he would leave for Saint Paul that morning and return Saturday.

On the 26th the provost-marshal, Captain Tillapaugh, wrote me that it would be impossible to enroll any more in that city without a military force to protect the enrolling officers; that the Irish and Dutch were determined to resist; asked for a sufficient force to keep the peace; said it was a city of mobs and nothing could prevent a mob at this time except armed soldiers.

I telegraphed the circumstances to General Pope at Saint Paul, and was advised by him in reply to go down to Milwaukee myself, and how important it was to avoid any outbreak, &c.

I had previously ordered Lieutenant Markley on a tour of inspection to the First, Second, Fourth, and Fifth Districts, and as he is an officer of good judgment in such matters, did not consider it necessary to change the order, but gave him directions to telegraph me at once in case anything important occurred, and if necessary to suspend the enrollment until the return of General Pope Saturday. He left on the 9.30 p. m. train, and as no dispatch has come from him yet (5.30 p. m.), it is fair to presume that no serious difficulty is to be apprehended.

I have been minute because I thought you would like to know all the circumstances.

Captain Phillips, Fourth District, writes the 26th that he had received a letter from Dr. L. H. Carey, dated Memphis, 16th instant, signifying his acceptance of the appointment as surgeon of the Board.

Captain Clark, Third District, informed me that there are vacant buildings at Fort Crawford, Prairie du Chien, but understands they are to be converted into a Government hospital. As he does not know how soon, I directed him to establish his office in them for the present.

All the provost-marshals think there will be no certainty in the security of apprehended deserters on the routes to military stations unless they are sent under a guard of soldiers, and ask how they are to procure the arms mentioned in paragraph 34, Provost-Marshal-General's Regulations. I presume that blanks will be provided to the provost-marshals, and would suggest that some descriptive rolls be sent.

I am, colonel, very respectfully, your obedient servant,

CHAS. S. LOVELL,
Lieut. Col. Eighteenth Infty., Actg. Asst. Prov. Mar. Gen.

GENERAL ORDERS, No. 158. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, May 29, 1863.*

The following uniform has been adopted for officers of the Invalid Corps:

Frock coat: Of sky-blue cloth, with dark-blue velvet collar and cuffs; in all other respects according to the present pattern for officers of infantry.

Shoulder straps: According to present regulations, but worked on dark-blue velvet.

Pantaloons: Of sky-blue cloth, with double stripe of dark-blue cloth down the outer seam, each stripe one-half inch wide, with space between of three-eighths of an inch.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR No. 16. } WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., May 29, 1863.*

I. Officers and employés acting under this Bureau are forbidden to make public the information, official communications, or opinions connected with it, except when authorized or directed to do so from this office. The records of every officer under this Bureau must be in readiness at all times for proper official scrutiny, but it is not desirable to make publications or invite discussions in regard to the current business, which must be regarded generally as confidential.

II. Acting assistant provost-marshals-general will see that all possible means are taken by the provost-marshals under their control to arrest deserters within the limits of their district, and will promptly report to this department any provost-marshal who gives evidence of want of zeal or ability to execute the duties of his office.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington City, May 29, 1863.

Major-General BURNSIDE:

The Comptroller of the Treasury reports that not more than $100,000 can at present be advanced on the claims of the State of Kentucky. I have ordered that amount to be forwarded immediately, and it will probably go forward to-morrow.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
OFFICE OF THE PROVOST-MARSHAL GENERAL,
Washington, D. C., May 29, 1863.

His Excellency the GOVERNOR OF PENNSYLVANIA,
Harrisburg, Pa.:

SIR: I am directed by the Secretary of War to inform you that the Department will accept from your State additional volunteers, infantry and cavalry, to serve for three years or during the war.

All regiments you may offer will be accepted thus, under the condition that not more than ten regiments of infantry and five regiments of cavalry are to be under recruitment at one time.

In conducting the recruitment the requirements of General Orders, No. 75, series of 1862, from the War Department, in connection with paragraph 86 of the Revised Mustering Regulations, will be observed.

The organization of the respective regiments will be governed by General Orders, No. 110, current series, from the Adjutant-General's Office.

In addition to the foregoing, and to the end that the Department may be at all times fully advised as to the state of the service, it is desired that the names of all persons you may authorize to recruit (under General Order 75) may be reported to this office so soon as the appointments are issued, and that you will report at least once a month the localities where the officers are recruiting, the number of men recruited for each regiment, and the probable time when any one regiment will be completed and in readiness for the formal muster into service of the United States by the U. S. mustering officer for the State.

All men mustered into the service under this authority will be duly credited to your State in case of a draft being ordered.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

ORDNANCE OFFICE, WAR DEPARTMENT,
Washington, May 30, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I have to acknowledge the reference to this office for report of Quartermaster-General George B. Wright's letter of the 25th instant, and to return the same with the following report:

There is no authority for issuing U. S. arms, equipments, or ammunition to any other troops than those which have been mustered into the U. S. service under competent authority. In cases where such ordnance supplies have been furnished to States for the use of troops not so mustered it was confined to such articles as were not fit for issue to troops in active service, and was done by special order in each case. There seems now to be cause to apprehend that such indulgences may be drawn into precedents to establish a similar general practice liable to lead to embarrassment in supplying future wants of the General Government. The estimates and appropriations for procuring arms, equipments, and ammunition did not anticipate or include such supplies for State militia.

Respectfully, your obedient servant,

JAS. W. RIPLEY,
Brigadier-General and Chief of Ordnance.

NEW YORK, *May 30, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

Several persons were arrested this afternoon for refusing to give their names to the enrolling officers and giving false names. They were sent to the U. S. district attorney, who declines to prosecute on the ground that such refusal and false statement are not offenses under section 25 of the conscription act. What course shall I take in such cases? Please answer by telegraph.

ROBERT NUGENT,
Colonel Sixty-ninth Regt. N. Y. Vols. and A. A. P. M. G.

[Indorsement.]

Respectfully submitted to the Secretary of War for instructions:

Section 25 of the enrollment act says that "if any person shall resist any draft of men enrolled under this act into the service of the United States, or shall counsel or aid any person to resist such draft; or shall assault or obstruct any officers in making such draft, or in the performance of any service in relation thereto, * * * such persons shall be subject to summary arrest by the provost-marshal and shall be forthwith delivered to the civil authorities, and upon conviction thereof be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding two years, or by both of said punishments."

The law authorizes the draft of the national forces as enrolled. If the enrolling officer is resisted this section of the law is violated because it is resisting a lawful agent in the performance of service in relation to the draft. Such resistance is also in violation of the general provisions of the enrollment act. The act provides that the national forces, as designated, are liable to military duty in the service of the United States when called out by the President for that purpose, and it provides further that with a view to such military duty the men constituting these forces must be enrolled. An enrolling officer is required by the law to go to the citizen and take his name, age, &c. By this law the citizen is under the same obligation to give his name, age, &c., when called upon by the enrolling officer as he would have been to comply with a provision of the law requiring him to go to the enrolling officer, or county clerk's office, and record his name, age, &c., if such a provision had been passed.

If, however, it is the opinion of the Government that parties tried for the offense set forth cannot be convicted, it will be necessary to direct the provost-marshal to discharge the men now in arrest as quietly as possible. The effect of this will be bad, but not so bad as to fail in case of trial.

It is of the greatest importance to secure conviction in the first case tried under the enrollment act. I think the course of the district attorney in this case as presented by Colonel Nugent is injurious to the operations of this Bureau.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington City, May 31, 1863.

Hon. WILLIAM H. SEWARD,
Albany:

Advices to the 26th report everything progressing favorably at Vicksburg. If you are still at Albany let me know. The district attorney in New York has assumed a position that will require your interference promptly, and I wish to report the matter to you.

EDWIN M. STANTON,
Secretary of War.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, May 31, 1863.

Col. R. NUGENT,
Actg. Asst. Provost-Marshal-General, New York City:

Hon. William Whiting, Solicitor of War Department, is in New York, probably at Metropolitan or Fifth Avenue Hotel. If not there you will find him by calling on Francis B. Cutting, esq. Call on Mr. Whiting and explain to him the case of the arrest of men refusing to give their names, and say the Secretary desires him to see that proper disposition is made of it.

J. B. FRY,
Provost-Marshal-General.

SPECIAL ORDERS, No. 244. } WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, June 1, 1863.

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22. By direction of the President, Col. Gustavus Loomis, U. S. Army, is hereby appointed superintendent of the general recruiting service until further orders.

* * * * * * *

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, June 1, 1863.

Major-General BURNSIDE,
Commanding Department of the Ohio, Cincinnati:

GENERAL: I am directed by the Secretary of War to inform you that the recruitment of troops and the disbursements connected therewith are now under the general control of this Bureau. It is necessary that I should have a definite understanding with you in reference to the raising of the volunteer force for the defense of Kentucky authorized by the act approved February 7, 1863. (General Orders, No. 40, Adjutant-General's Office, 1863.) It is my opinion that the public interest demands that not more than ten regiments of the authorized force should be under recruitment at one time. This will promote economy, and will prevent too many fragmentary regiments from being scattered over the State, thus assisting the organization,

experience having indicated that where many regiments are organizing at one time recruiting is retarded. You have already been advised that in organizing the regiments the requirements of General Orders, No. 75, series of 1862, from the Adjutant-General's Office, will be observed. That order should be taken in connection with paragraph 86 of the Revised Mustering Regulations. In addition to the foregoing, it is proposed that the names of all persons authorized by the Governor to recruit, under General Orders, No. 75, shall be reported to this office so soon as the appointments are issued, and that the Governor shall report at least once a month the localities where the officers are recruiting, the number of men recruited for each regiment, and the probable time at which any one regiment will be completed, and in readiness for the formal muster into the U. S. service by the U. S. mustering officer for the State. From my experience in Kentucky I am convinced the public interest will be best secured by conducting the recruiting service there with as much system as possible. If you see no objection to what is herein set forth I will advise the Governor accordingly. Please communicate your views at an early date, reporting fully how the service now stands, as ordered by you.

I have the honor, &c.,

JAMES B. FRY,
Provost-Marshal-General.

AUBURN, *June 1, 1863.*

Hon. E. M. STANTON:

Yours of May 31st received. I shall be at Astor House, New York, to-morrow morning and wait there your report and wishes by telegraph.

WM. H. SEWARD.

WAR DEPARTMENT,
Washington City, June 1, 1863.

Hon. WILLIAM H. SEWARD,
Astor House, N. Y.:

The provost-marshal of New York reports that persons arrested by the provost-marshal for resisting the enrollment act by refusing to give their names to the enrolling officers, and giving false names, were Saturday taken to the U. S. district attorney, who declined to prosecute on the ground that such refusal and false statements are not offenses against the act. This extraordinary conduct on his part if persisted in must lead to consequences which you can understand. I send you by mail the telegram of the provost-marshal, and also his view of the act referred to. There never has been any assistance rendered by civil officers to the Government in this war where they could get any colorable pretext for withholding it, and as the provisions of the act require offenders against it to be turned over to the civil authorities, it is necessary that you should see the officer referred to and have him at once refrain from such conduct and lend the aid of his office in enforcing the law.

EDWIN M. STANTON,
Secretary of War.

OFFICE ACTG. ASST. PROV. MAR. GEN. OF WAR DEPT.,
New York, June 1, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I saw Mr. Whiting, Solicitor of the War Department, at 1 o'clock to-day; he told me, after being informed of the facts in relation to the seven men arrested on Saturday for refusing to give their names to the enrolling officer, that in his opinion section 25 of the conscription act does not authorize the arrest of any person who refuses his name or otherwise embarrasses the enrolling officer; that the penalties provided apply only to the cases of men who resist the draft, and that the enrollment is not "a service relating thereto," *i. e.*, to the draft.

Mr. Whiting advised that detectives in sufficient number be appointed to follow the enrolling officers and ascertain by inquiries privately made the names of parties who have refused information to the enrolling officer. On Saturday afternoon after I telegraphed to you a writ of habeas corpus was issued by Judge McCunn, of this city, requiring me to produce the men before him forthwith.

The writ was defective in form. Mr. Glassey attended before the judge and procured the dismissal of the writ. I paroled the men until to-day, and under advice of Mr. Whiting discharged them upon their furnishing the information required by the enrolling officer. I shall be pleased to receive any instructions you may send on this subject.

I have the honor to be, colonel, very respectfully, your obedient servant,

ROBERT NUGENT,
Colonel Sixty-ninth Regiment, Act. Asst. Prov. Mar. Gen.

PROVOST-MARSHAL'S OFFICE,
Lancaster, Pa., June 1, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General United States, Washington, D. C.:

SIR: I have the honor to acknowledge the receipt of your communication of the 30th ultimo in relation to arrest of men who were drafted last fall, and would respectfully report:

That the greatest dissatisfaction exists in this district on account of the non-arrest of those men who were drafted and never reported for duty, and in pursuance of section 7 of the act for enrolling, &c., I considered it my duty to arrest all persons called into service under this or any other act of Congress, and accordingly authorized several persons to make arrests of drafted men and deserters in various parts of the district and expect a number to be in to-day.

On the receipt of your communication I immediately sent notice to those authorized to make no more arrests and to report to me at once. I most respectfully submit that I consider it important for the good of the service that those men be arrested before another draft is made, as their being left at liberty is one of the most odious features of the former draft, and creates in the public mind a feeling of disregard for the laws in regard to drafting.

I, therefore, would most respectfully request to be instructed to arrest such persons, and to make such disposition of them as to you may seem proper, believing, as I do, that it will materially decrease the difficulties which will attend the new draft.

In regard to the case alluded to in my communication of the 19th of May, I find, on investigation of the facts, that a drafted man was arrested by Captain Boynton, Ninety-third Regiment Pennsylvania Volunteers, former recruiting officer at this station, and brought before his honor, Henry G. Long, presiding judge of the Second Judicial District, comprising this county, on a writ of habeas corpus, and on a hearing of the case Captain Boynton made the following return:

LANCASTER, *May 4, 1863.*

The undersigned respectfully makes the following return: That he arrested the within-named John Shank as a deserter of the One Hundred and seventy-eighth Regiment Pennsylvania Militia, and find no evidence of being mustered in the service of the United States.

D. J. BOYNTON,
Capt., Ninety-third Regiment Pennsylvania Volunteers, Recruiting Officer.

Upon which the following indorsement was made upon the writ:

MAY 4, 1863.

On the hearing of the case it appearing that John Shank, by the return of the respondent, was not mustered into service, and consequently not a deserter, he is discharged from custody.

H. G. LONG.

The fact of the man having been drafted does not appear upon the record as brought before the judge. I therefore ordered his rearrest in order to have the facts fully brought up.

I have the honor to be, your obedient servant,

A. W. BOLENIUS,
Capt. and Provost-Marshal, Ninth District of Pennsylvania.

CIRCULAR No. 17. } WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, D. C., June 2, 1863.

To prevent misapprehension, boards of enrollment will at once instruct their enrolling officers that they are to enroll all male citizens of the United States, and persons of foreign birth who have declared on oath their intention to become citizens, under and in pursuance of the laws thereof, between the ages of twenty and forty-five years. This enrollment is, therefore, simply a census of all male citizens, and persons of foreign birth who have declared on oath their intentions to become citizens as above cited, between the ages of twenty and forty-five years. Neither the enrolling officers nor the boards of enrollment shall make exemptions from enrollment. The question of exemption is to be considered by the boards of enrollment alone, and only with regard to draft.

JAMES B. FRY,
Provost-Marshal-General.

ALBANY, *June 2, 1863.*

Hon. E. M. STANTON:

Governor Seymour desires to be informed to-day, if possible, if one or two batteries of light artillery, composed of returned two-years' volunteers, will be accepted if completed in a short time.

J. B. STONEHOUSE,
Acting Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, D. C., June 2, 1863.

J. B. STONEHOUSE,
Actg. Assistant Adjutant-General, Albany, N. Y.:

The Department will accept the batteries mentioned in your telegram just received. The enlistments to be for three years or during the war.

EDWIN M. STANTON,
Secretary of War.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., June 2, 1863.

Maj. A. S. DIVEN,
Actg. Asst. Pro. Mar. Gen., Western New York, Elmira, N. Y.:

SIR: I am directed by the Provost-Marshal-General to say, in reply to your communication of the 22d ultimo, that he has read your letter giving him the account of your interview with His Excellency Governor Seymour, and that a camp will probably be established at Elmira.

It is, however, the intention to send drafted men forward as rapidly as possible. You will see from the circulars and regulations issued from this office the scope of your duties.

The importance of completing the enrollment is fully appreciated, and the Provost-Marshal-General looks to you to have it completed with all possible dispatch in the districts under your control. The necessary blanks are sent direct to district provost-marshals.

I am, sir, very respectfully, your obedient servant,

HENRY STONE,
Assistant Adjutant-General.

OFFICE DISTRICT ATTORNEY OF UNITED STATES
FOR SOUTHERN DISTRICT OF NEW YORK,
New York, June 2, 1863.

Hon. WILLIAM H. SEWARD,
Secretary of State:

SIR: In reply to the inquiries put to me in my interview with you to-day I have the pleasure to state that the report made by the provost-marshal to the Honorable Secretary of War in relation to the attitude of my office toward the enrolling act is founded upon an entire misapprehension. The records of my office and those of the U. S. commissioner already attest the spirit with which cases of violating this just and necessary law are attended to by me.

It is true that on Saturday last, being interrogated by one of the provost-marshals without reference to any particular case, I gave an abstract and individual opinion that section 25 of the act (being strictly construed under the rule applying to criminal laws) would not reach a mere case of refusing a name, without any misrepresentation and unaccompanied by any word or act. I was not asked and I said nothing as to the consequences of giving false names or other affirmative act. I still think that such a naked refusal would not enable me to obtain a conviction before the courts and juries of New York. As cases are arising where something more can be

proved, I think it policy to choose some clear complaints to first pursue to judgment. But nothing has been further from my views than to omit applying for a warrant of arrest in any case under this law where an affidavit can be made sufficiently strong to induce a commissioner to issue it. And even in a case of a mere refusal to give a name, I should press it upon the commissioner and court whenever the enrolling officer should regard the evil as requiring such action.

I am satisfied that this abstract doubt of the breadth of the 25th section has been placed in connection with a case brought before one of my assistants on Saturday, and has thus led to a misunderstanding. In that case there was an absence of testimony of any offense, and both the deputy provost-marshal and my assistant agreed that it would be unwise to prosecute.

That there may be no misunderstanding hereafter, I have instructed my assistants to refuse action in no case under this act without a personal reference to me, and I am always in my office unless actually engaged in court.

That the courts of the country have not always done their duty in this war is true. But the Honorable Secretary of War has furnished me, in a letter which I value, with evidence that he does not regard me as a civil officer who has done nothing to aid him. He will remember my extra-judicial action in the matter of prize munitions of war, for which he gave me a marked testimonial of thanks, and my prosecutions against those aiding desertion and other acts affecting the efficiency of the military and naval service, to say nothing of proceedings for frauds upon the departments, have been instituted and pursued with pertinacity, even under discouraging circumstances. Cases of this character have been pressed by me often far beyond what the commissioners have regarded as warranted by the testimony.

I hope the Secretary will refer the Provost-Marshal-General and his subordinates to me personally, with my assurance of the mistake under which they have fallen with respect to my action.

I am, sir, with great respect, your obedient servant,

E. DELAFIELD SMITH,
U. S. District Attorney.

[Indorsement.]

My Dear SECRETARY: I send you the letter of the district attorney of New York, which makes all right. I saw the marshal also.

Faithfully, yours,

WM. H. SEWARD.

ACTG. ASST. PROVOST-MARSHAL GENERAL'S OFFICE,
Madison, Wis., June 2, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington. D. C.:

COLONEL: I have the honor to report that I returned this morning from Milwaukee.

Yesterday and the evening before I had a conference with General Pope, his honor the mayor of the city, and a number of the most prominent citizens of the place in relation to the resistance threatened by the lower classes toward the enrolling agents while in the performance of their duties.

The mayor seems confident that he can maintain the peace with his police force, and he, as well as all the gentlemen I conversed with,

would regret the necessity of an array of the military. But I think they all doubt the probability of enforcing a draft without resorting to military force.

I learn from Captain Tillapaugh, the provost-marshal of the district, that his headquarters will be removed to Racine. I trust that it will not be done for the present, as to do so now would, I think, be construed by the evil-disposed as having been effected through their opposition to the enrolling agents. Nearly all the trouble thus far has been brought about by women and children, the former threatening to make use of hot water, and the latter throwing stones, &c., instigated, no doubt, by men who were careful to conceal their participation from view.

I have not seen enough of Captain Tillapaugh to be able to judge of his ability in every respect to perform the duties of provost-marshal. That there is a feeling against him is quite evident, from the fact, possibly, that he is not a resident of the city.

From my intercourse with the two men I am satisfied that the deputy, Joel Hood, esq., is the best qualified for the position of provost-marshal, and I think would have been more acceptable to the citizens generally.

General Pope thinks the interests of the service would be better subserved by having my headquarters at Milwaukee. It is a matter of perfect indifference to me. I am only desirous of rendering all the service in my power when not in a condition to do duty in the field.

I am, colonel, very respectfully, your obedient servant,

CHAS. S. LOVELL,

Lieut. Col. Eighteenth Infty., Actg. Asst. Prov. Mar. Gen.

PROVOST-MARSHAL'S OFFICE, FIRST DIST. OF WISCONSIN,

Racine, June 2, 1863.

JAMES B. FRY,

Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to report that the enrollment of this district is progressing rapidly, with the exception of the city of Milwaukee. In no other place in this district is there danger of resistance to the enrollment or draft, except in this disloyal place. From the time the enrolling officers entered upon their duties in that place until now they have been assailed in the most violent manner by the Germans and Irish.

Two days since an enrolling officer was assailed by these infuriated rebels, knocked down and mangled in a shocking manner, and when I am asked for help I have none to give these men.

Milwaukee is thoroughly disloyal, and is controlled by mobs and has been for years. Thus far I have removed my papers from my office at night to the post-office for safe-keeping. I have good reason to believe these rebels intend to resist the enrollment, resist the draft, and to destroy the roll before the draft, if they can get it.

Milwaukee is a city of 55,000 people; over 40,000 of this people are German and Irish of the most desperate character.

There has been seven mobs and riots in this city in the last twelve years, and in every instance the mob has been victorious. I have called on General Pope for military force to protect officers in the discharge of their duties, but he refused to pay the least attention to

my request. I have made requisition on Col. Charles S. Lovell, but he has no force to give me, and now I would respectfully refer the matter to you for orders.

J. M. TILLAPAUGH,
Provost-Marshal.

HDQRS. SECOND CAVALRY BRIGADE, FIRST DIVISION,
Murfreesborough, June 3, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: The movement of arming the blacks of the rebellious States organized by you has long occupied my attention. All my experience during more than twenty months' service in Kentucky, Tennessee, Mississippi, and Alabama has tended to impress me with both the wisdom and necessity of fighting the rebellion with its own weapons and knocking away its main support by destroying slavery. This sincere conviction, together with a firm belief, founded upon extensive and careful observations, in the aptitude of the negroes for military service, induces me to address you a respectful but unofficial inquiry as to how an application to raise a mounted force of blacks would be received by the Department.

As far as my information goes the effort to organize colored troops has been confined up to the present time to the infantry arm. What I have seen of the blacks in the above-mentioned States, and I believe I have seen as much of them as any officer in the Western armies, has satisfied me that they will be found peculiarly qualified for the mounted service. They are almost without exception good riders and accustomed to the care of animals.

Their excellent facilities of imitation and habits of obedience render them readily susceptible of drill and discipline. Their simple wants and fine physical development, produced by hard and continuous labor, fit them well for the endurance of the hardships incidental to the arduous duties of the cavalry in this war. Their keen sense of locality and familiarity with their native regions make them invaluable as scouts and for flying expeditions into the interior of the enemy's country.

With a few regiments of picked, well-mounted, even though indifferently drilled, men, I am persuaded I could penetrate farther into the rebel country, and, with the aid of the active sympathies the appearance of black troops would naturally excite among the preponderating slave population, do much more toward upsetting the abnormal fabric of the rebellion than any white troops have as yet attempted or accomplished.

What I would wish is your impression as to the propriety or feasibility of recruiting, from the contrabands now being and likely to be within our lines, select men enough to form a brigade of cavalry. I am aware that the scarcity of material in this department at this time renders the immediate realization of the plan all but impracticable. It will, however, undoubtedly become feasible before long by an advance of our lines farther south. I would propose to mount the men, if possible, at the expense of the enemy. In this event arms and uniforms will be all I should ask of the Government.

As you perhaps know, I have been in command of a brigade of cavalry for nearly a year. I can confidently refer to my former and

present superiors as to the services rendered and experience acquired in that position. Col. James B. Fry, Provost-Marshal-General, now in Washington, was General Buell's chief of staff at the time I commanded the First Cavalry Brigade, Army of the Cumberland. I have a fine brigade at present, one that I would be reluctant to relinquish; but I submit this project to you, believing that its successful accomplishment would be of incalculable service to the country. In case of an encouraging reply from you I would address in due time a formal application, with the details of my plan of organization, to the Department.

Very respectfully, your obedient servant,

EDWARD M. McCOOK,
Colonel, Commanding Brigade.

GENERAL ORDERS, No. 163. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, June 4, 1863.*

I. The following revised order, in relation to advance pay, bounties, and premiums, as paid by the United States, is published for the information of all concerned, and will govern in lieu of all other orders on the subject:

A RESOLUTION to encourage enlistments in the Regular Army and Volunteer forces.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the ninth section of the act approved August third, eighteen hundred and sixty-one, entitled "An act for the better organization of the military establishment," as abolishes the premium paid for bringing accepted recruits to the rendezvous, be, and the same is hereby, repealed, and hereafter a premium of two dollars shall be paid to any citizen, non-commissioned officer, or soldier for such accepted recruit for the Regular Army [as] he may bring to the rendezvous. And every soldier who hereafter enlists, either in the Regular Army or the Volunteers, for three years, or during the war, may receive his first month's pay in advance, upon the mustering of his company into the service of the United States, or after he shall have been mustered into and joined a regiment already in the service.

Approved, June 21, 1862.

REGULAR ARMY.

1. For the $2 premium, regular service, the form of the receipt roll annexed* will be used as a consolidated voucher for the payments.

The payments will be made so soon as the recruit is accepted by the recruiting officer, and from the recruiting fund for the Regular Army.

VOLUNTEER SERVICE.

2. All accepted recruits for volunteer organizations will be paid a premium of $2. The premium may be paid to any citizen, non-commissioned officer, or soldier for every accepted recruit who may enlist, or to the recruit in person, in case he presents himself. These payments will be made so soon as the recruit has been inspected by the surgeon and mustered into service.

The amounts will be entered on the muster-in roll, opposite the names of the recruits so paid, and charged to the fund for "collecting, drilling, and organizing volunteers." For a voucher, a modified form of that used in the regular service will be used.

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*Omitted.

REGULAR AND VOLUNTEER SERVICE.

3. The month's pay in advance for accepted regular and volunteer recruits will be paid under such regulations as may be established by the Paymaster-General.

II. During the continuance of the existing war, and under section 6 of the act approved July 5, 1862 (General Orders, 77, Adjutant-General's Office, 1862, p. 7), $25 of the $100 bounty will be paid to every accepted recruit of the regular and volunteer forces.

These payments will be made as follows, viz:

1. To recruits for volunteer organizations in the field when the said recruits are inspected and mustered into the service, and to those of the new organizations when their companies are organized, muster-in rolls made out, and the mustering officer's certificate given thereto. The amounts will be entered on the muster-in rolls, opposite the names of the recruits, respectively. They will be accounted for under the head of "Bounty—Volunteer recruiting service." To this end an account current separate from that for the fund for "collecting, drilling, and organizing volunteers" will be used, but the "bounty fund" will be disbursed by the regularly appointed mustering and disbursing officers.

2. To recruits for the regular service when the recruit has been passed by the "board of inspectors" at the regimental or general service depot, as the case may be. The amounts under this head will be paid from the recruiting funds for the Regular Army, and entered on the recruiting account current, opposite the names of the recruits, respectively; and also on the first descriptive list of the soldier; whenever this list is given before bounty has been paid, an entry—"$25 bounty due for enlistment"—will be made thereon.

In case of re-enlisted soldiers in the Regular Army, the entry as to payment or non-payment will be made on the first muster-roll, and the superintendent of the recruiting service will be notified of the fact.

3. Vouchers for payment will be in the form of consolidated receipt rolls.

III. Volunteer soldiers who, after the expiration of their term, re-enter the service for three years or during the war, receive the same bounties, advanced pay and premiums, and are paid in the same manner, as men enlisted from civil life.

IV. To facilitate the payment of the $25 advanced bounty and $2 premium in individual cases of enlistment and to discharged soldiers, when these amounts have not been paid at the time of muster into service, the following rules will govern:

1. The amounts will be entered on the muster-in roll, and will be entered and continued on every subsequent muster and pay roll until the soldier is paid by the paymaster.

2. When not paid before discharge, the amounts due for premium and bounty will be entered upon the duplicate certificates (final statements) for pay, and the discharged soldier will be paid by the paymaster. Company commanders will be careful to enter these amounts on the soldiers' final certificates.

V. The following is an act to amend an act entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July 22, 1861. (See General Orders, No. 49, Adjutant-General's Office, of 1861, p. 3.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every non-commissioned officer, private,

or other person, who has been or shall hereafter be discharged from the Army of the United States within two years from the date of their enlistment, by reason of wounds received in battle, shall be entitled to receive the same bounty as is granted or may be granted to the same classes of persons who are discharged after a service of two years, and all acts and parts of acts inconsistent with this are hereby repealed.

Approved March 3, 1863.

VI. Persons of African descent who enlist under the act approved July 17, 1862 (General Orders, 91, Adjutant-General's Office, 1862, p. 25), are entitled to "ten dollars per month and one ration; three dollars of which monthly pay may be in clothing."

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, June 4, 1863.

Major-General BURNSIDE, U. S. Volunteers,
Cincinnati, Ohio:

A note, of which the following is a copy, has just been received by this Department from the President:

EXECUTIVE MANSION,
Washington, June 4, 1863.

Hon. SECRETARY OF WAR:

MY DEAR SIR: I have received additional dispatches which, with former ones, induce me to believe we should revoke or suspend the order suspending the Chicago Times, and if you concur in opinion, please have it done.

Yours, truly, A. LINCOLN.

In conformity with the views of the President, you will revoke the order suspending the publication of the Chicago Times.*

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WASHINGTON, D. C., *June 4, 1863.*

Hon. E. M. STANTON,
Secretary of War:

SIR: I have the honor herewith to submit a report of all my operations from the commencement of the war to the present time, and in the hope that it may be found to contain valuable information and to establish beyond doubt the advantages of the aeronautic service to the Government.

I am, very respectfully, your most obedient servant,

T. S. C. LOWE,
Aeronaut.

[Inclosure.]

WASHINGTON, D. C., *May 26, 1863.*

Hon. E. M. STANTON,
Secretary of War:

SIR: In accordance with your request I have the honor to submit the following report of my operations in the department of aeronautics, as connected with the military service of the Government:

Balloons have been employed for many years for the purposes of

*See Burnside's order, Series I, Vol. XXIII, Part II, p. 386; also Trumbull and Arnold to Lincoln, *ibid.*, p. 385.

amusement or experiment, but they have never been constructed of durable materials, nor combined those qualities essential for frequent or long-continued observations, or for transportation from place to place, until the present war. The French were the first and only nation to make any use of this important means of securing information of the position and movements of an enemy, and even the imperfect apparatus they employed secured great advantages to them on two occasions. One of these was in June, 1794, when they were used for reconnoitering the position of the Austrians at the battle of Fleurus; the other was at the battle of Solferino, in 1859.

For nearly ten years my attention has been given to the subject of aeronautics, and I have made large expenditures in practical experiments to perfect and develop the system. Notwithstanding the fact that balloons were first invented in 1782, but little had been subsequently done to improve them. Various inventions of air ships had come into notice and proved to be impracticable, although the possibility of devising a means of navigating the air with safety was believed by many. Fully convinced of this myself, and that science and skill would produce the long-desired invention, I constructed a large balloon in 1859 for experiments, preliminary to an attempt to cross the Atlantic. This balloon when filled with gas would lift more than twenty tons in weight. The envelope alone weighed two and a quarter tons. Though treated as a visionary by the unthinking and by the timid, I received substantial aid and support from some of the most eminent scientific men of the country, and was thus encouraged to labor on in improving and perfecting every part of my apparatus, so that no reasonable ground of doubt should exist as to the ultimate success of the experiment.

In December, 1860, I presented the following memorial to the Smithsonian Institution, which I take the liberty of including in this report as an evidence of the favor with which my enterprise was looked upon by the distinguished men whose names are subscribed to it:

PHILADELPHIA, *December —, 1860.*

Prof. JOSEPH HENRY,
Secretary of the Smithsonian Institution, Washington, D. C.:

The undersigned, citizens of Philadelphia, have taken a deep interest in the attempt of Mr. T. S. C. Lowe to cross the Atlantic by aeronautic machinery, and have confidence that his extensive preparations to effect that object will add greatly to scientific knowledge. Mr. Lowe has individually spent much time and money in the enterprise, and in addition the citizens of Philadelphia have contributed several thousand dollars to further his efforts in demonstrating the feasibility of trans-Atlantic air navigation. With reliance upon Mr. Lowe and his plans, we cheerfully recommend him to the favorable consideration of the Smithsonian Institution, and trust such aid and advice will be furnished him by that distinguished body as may assist in the success of the attempt, in which we take a deep interest.

JNO. C. CRESSON.
WILLIAM HAMILTON.
W. H. HARRISON.
[AND THIRTEEN OTHERS.]

The Secretary of the Smithsonian Institution, to whom the memorial was referred, gave it a careful consideration, and although he did not recommend the appropriation of any of the funds of the Institution to assist me in constructing the balloon, stated the following as the result of his investigations:

It has been fully established by continuous observations collected at this Institution for ten years, from every part of the United States, that, as a general rule, all the meteorological phenomena advance from west to east, and that the

higher clouds always move eastwardly. We are, therefore, from abundant observation, as well as from theoretical considerations, enabled to state with confidence that on a given day, whatever may be the direction of the wind at the surface of the earth, a balloon elevated sufficiently high would be carried easterly by the prevailing current in the upper or rather middle region of the atmosphere.

I do not hesitate, therefore, to say that, provided a balloon can be constructed of sufficient size and of sufficient impermeability to gas, in order that it may maintain a high elevation for a sufficient length of time, it would be wafted across the Atlantic. I would not, however, advise that the first experiment of this character be made across the ocean, but that the feasibility of the project should be thoroughly tested and experience accumulated by voyages over the interior of our continent.

In accordance with the last suggestion made by Professor Henry, and to remove all doubts from the minds of those who considered the risk of the ocean voyage too great, I made ascensions from points in the West, and had demonstrated the truth of my propositions, when the breaking out of the rebellion turned the thoughts of all loyal Americans to the state of the country. Feeling assured that I could render essential service to the Government in its time of need, and that my inventions would be appreciated by those who were in authority, I left Philadelphia on the 5th of June, 1861, for Washington, taking with me a new balloon with which I had made a voyage on the 20th of April of the same year from Cincinnati, Ohio, to the coast of South Carolina, from 4 a. m. to 1 p. m. of the same day, a distance of over 900 miles, in nine hours.

On arriving in Washington I immediately called on Professor Henry, who at once perceived the importance and value of my proposed operations. He had repeated interviews with the President of the United States, the Secretary of War (Mr. Cameron), and the officers of the Topographical Engineer Corps, and strongly urged the trial of experiments with my balloon to test its adaptation to the great work in which we were engaged. Discouragement and difficulty attended every effort, however, to secure attention; but finally, through the influence of Professor Henry, to whose disinterested and persevering support is in a great measure due the introduction of aeronautics into the military service of the United States, I was enabled to make preliminary experiments with the balloon I had brought to Washington.

The balloon was inflated from one of the gas mains in the Armory grounds, and repeated ascensions were made from that place, from the Smithsonian grounds, and from the front of the Executive Mansion. For the first time telegraphic communication was established between a balloon and the earth, and a message was sent to the President of the United States and others while at an elevation of a thousand feet.

For a detailed account of these experiments I have the honor to refer to the following report from Professor Henry, under whose supervision they were made:

SMITHSONIAN INSTITUTION,
June 21, 1861.

Hon. SIMON CAMERON:

DEAR SIR: In accordance with your request made to me orally on the morning of the 6th of June, I have examined the apparatus and witnessed the balloon experiments of Mr. Lowe, and have come to the following conclusions:

1st. The balloon prepared by Mr. Lowe, inflated with ordinary street gas, will retain its charge for several days.

2d. In an inflated condition it can be towed by a few men along an ordinary road, or over fields, in ordinarily calm weather, from the places where it is filled to another, twenty or more miles distant.

3d. It can be let up into the air by means of a rope in a calm day to a height sufficient to observe the country for twenty miles around and more, according to the degree of clearness of the atmosphere. The ascent may also be made at night and the camp lights of the enemy observed.

4th. From experiments made here for the first time it is conclusively proved that telegrams can be sent with ease and certainty between the balloon and the quarters of the commanding officer.

5th. I feel assured, although I have not witnessed the experiment, that when the surface wind is from the east, as it was for several days last week, an observer in the balloon can be made to float nearly to the enemy's camp (as it is now situated to the west of us), or even to float over it, and then return eastward by rising to a higher elevation. This assumption is based on the fact that the upper strata of wind in this latitude is always flowing eastward. Mr. Lowe informs me, and I do not doubt his statement, that he will on any day which is favorable make an excursion of the kind above mentioned.

6th. From all the facts I have observed and the information I have gathered I am sure that important information may be obtained in regard to the topography of the country and to the position and movements of an enemy by means of the balloon now, and that Mr. Lowe is well qualified to render service in this way by the balloon now in his possession.

7th. The balloon which Mr. Lowe now has in Washington can only be inflated in a city where street gas is to be obtained. If an exploration is required at a point too distant for the transportation of the inflated balloon, an additional apparatus for the generation of hydrogen gas will be required. The necessity of generating the gas renders the use of the balloon more expensive, but this, where important results are required, is of comparatively small importance.

For these preliminary experiments, as you may recollect, a sum not to exceed $200 or $250 was to be appropriated, and in accordance with this Mr. Lowe has presented me with the inclosed statement of items, which I think are reasonable, since nothing is charged for labor and time of the aeronaut.

I have the honor to remain, very respectfully, your obedient servant,

JOSEPH HENRY,

Secretary Smithsonian Institution.

On the evening of the 21st of June I received a telegram from Captain Whipple, of the Topographical Engineers, directing me to fill the balloon and to bring it, with the telegraphic apparatus, &c., to Arlington.

The gas could not be obtained from the Washington Gas Company until the following afternoon, when the balloon was inflated and taken across the Long Bridge to Arlington House, where, by order of Captain Whipple, it remained until the next morning at 4 o'clock, when I was ordered to take it to Falls Church. On arriving at the Alexandria and Loudoun Railroad I learned from the guards that there were no pickets out in the direction we were going. There being no other route by which the balloon could be towed, on account of the woods, and knowing the importance of observations from Falls Church, the balloon was let up by ropes to a sufficient height to ascertain that it was safe to proceed. We then advanced two miles farther, to Bailey's Cross-Roads, where I was informed by the residents that a rebel scouting party had just left, having seen the balloon, and supposing that a large force accompanied it. After stopping a few minutes we proceeded to Falls Church, where the balloon was kept in constant use for two days more, during which time General Tyler sent up an officer who sketched a fine map of the surrounding country and observed the movements of the enemy. Captain Whipple and other officers also made several ascensions.

On the 26th of June I was informed by Captain Whipple that the Bureau of Topographical Engineers had concluded to adopt the balloon for military purposes, and desired me to furnish a full account of the method of operating the balloons in the field, and to make estimates for their construction, &c. The information I gave he

noted down. The next day, upon calling on the captain to know what conclusion he had arrived at, I was informed that he had decided to give an order to Mr. Wise to construct a balloon, as his estimate was $100 or $200 less than mine, but that it was possible I might be employed to operate the balloon after it was made. To the latter part of his remarks I replied that I would not be willing to expose my life and reputation by using so delicate a machine, where the utmost care in construction was required, which should be made by a person in whom I had no confidence. I assured him that I had greater experience in this business than any other aeronaut, and that I would guarantee the success of the enterprise if intrusted entirely to my directions.

Feeling confident of the ultimate result, and not being willing to abandon my cherished plans for the benefit of the Government after so much expenditure of time and my own means, I instituted a series of experiments, on my own account, in the Smithsonian grounds, which brought together many officers and scientific men, who strongly recommended the adoption of my system of aeronautics. Among others who witnessed these experiments was Captain Whipple, who, finding that the balloon ordered from Mr. Wise had not arrived at the time promised, desired me to transport my balloon, then inflated, with the army which was moving toward Manassas. My operations at this time are described in the following communication addressed to Major Bache, of the Topographical Engineers, to which I would call particular attention:

WASHINGTON, D. C., *July 29, 1861.*

MAJOR BACHE,

Bureau Topographical Engineers:

SIR: Having spent two months in Washington for the purpose of demonstrating the utility of balloon observations for war purposes, and thus far without any recompense, I feel it my duty before retiring from the seat of war to make a statement of what I have done and what might and can be accomplished, provided the Government would furnish the necessary means, which at most is very small compared with the results that can be attained.

In the first place, the balloon which I have been compelled to use (for want of a more suitable one) was intended for making free voyages, in which comparatively but little strength is required, and not for the purpose of ascension with ropes. On the 18th of June I inflated the balloon, and, with a telegraph apparatus attached, ascended with three persons and demonstrated the feasibility of communicating with the earth, which at times can be rendered very useful. This inflation lasted four days, although subjected to the pressure of several very heavy winds. Two days afterward the balloon was again inflated and transferred fourteen miles from the place of filling, and retained its charge for several days, during which time it was [illegible] repeatedly, and on one occasion 1,100 feet with an officer, who sketched a map of roads and of the enemy's camps at Fairfax Court-House. Much greater results could have been obtained by making a free voyage at an altitude of a mile or two and returning in the upper current toward Washington. I then gave it another coat of varnish, which much increased its retentive power, and demonstrated the utility of the balloon for the purpose of reconnaissance to a number of gentlemen in this city on the Smithsonian grounds. After this I was solicited to proceed to Captain Whipple's [illegible] and transport it with the army [illegible]. Although this balloon was not intended for war purposes, and although I had objected to the [illegible] being diverted to construct another, [illegible] I could not refuse, and was [illegible] about making the necessary [illegible] of the voyage, but when these were completed and I was [illegible] I was unable to account for the absence of Captain Whipple, to procure the [illegible] and means of the inflation and transportation. Not being able to [illegible] I was told [illegible] was then at [illegible] I proceeded, on the arrival of the [illegible] that the balloon and apparatus [illegible] transported [illegible] and that [illegible] I was informed that [illegible] respectfully appreciated. [illegible] I was informed by the director of the gas [illegible] that an [illegible] and was to be most [illegible] of mine. [illegible] of this [illegible] [illegible] from the [illegible] pipes.

to give place to the other balloon, and ceased all further efforts until I was informed, on Sunday, that the competing balloon had proved a failure, and then being urged by several patriotic individuals, and hoping still to render some service to the army at Centerville or Manassas, I commenced on Sunday morning to make preparations for inflating and transporting my balloon, and on the evening of the same day started with it for Virginia. In this enterprise I was aided by the liberality of Colonel Small, who furnished me with twenty men from his command for the purpose. Unfortunately, when we arrived at Falls Church I was informed of the retreat of the army, and thinking it useless to attempt to go farther, I concluded to remain there, even after all the troops had passed by and in the midst of a drenching rain, with the hope that I might be of service in giving information as to the approach of the enemy; but as the pickets were withdrawn, I started again at 4.30 on Monday afternoon to return to Arlington, the rain continuing to fall in torrents, the wind against us, and arrived at Fort Corcoran at 8 o'clock the same evening with the balloon fully inflated, after having been transported against a wind of considerable force, through a distance in all of about twenty miles, the latter half of which was in a violent rain-storm. I remained with the balloon at Fort Corcoran until Wednesday morning, and then, taking advantage of the favorable weather, I ascended at 7.30 o'clock with an ascensional power of 500 pounds beyond the weight of the balloon itself. I obtained an altitude of about three and one-half miles and had a distinct view of the encampments of the enemy, and observed them in motion between Manassas Junction and Fairfax.

From the facts I have stated it must be evident to every one that the balloon can be rendered of essential service in the art of war, and that I have accomplished all I have undertaken without a single failure, with very imperfect means and with scarcely any aid from the Government.

Having thus given an account of what has been accomplished, I now proceed to furnish a statement of what might or can be done if proper facilities are afforded:

First. It is very probable that balloons will be wanted for some time to come in the vicinity of Washington and Alexandria to watch the movements of the enemy and prevent a surprise. For this purpose the balloon now in my possession will answer very well until another can be procured. With it, almost every day or two, ascents can be made to a great altitude, affording an opportunity for several officers at the same time to observe, with good glasses, the position and movements of the enemy in perfect security, without risk of life or property.

Second. While the army is making preparation for another movement a lighter balloon, with portable apparatus, can be constructed in time to move with the troops, and be ready before and during an engagement to furnish the means of observations of the greatest importance.

Having made the necessary inquiries, I find that the required apparatus can be constructed by mechanics now in the Government employ in Washington; that the whole weight of material to inflate the balloon for several days' use will not exceed four tons, and can be carried in two or three wagons, and that the whole expense for inflating, aside from the apparatus, will not exceed $300, including transportation. *a*

It will not be necessary to use this method of inflation, excepting at a distance from gas works too great to move an inflated balloon.

The same apparatus can also be used on the rivers, and ere long will probably be much wanted at Fortress Monroe, Norfolk, and Richmond, and many other places.

Should the Government conclude to adopt the above methods, and desire my services, I will give my plans in detail, and shall be pleased to carry them out. I can truly say that I have not, in my endeavor to introduce balloon observations into use in our Army, been governed by a desire for pecuniary gain, but I have been actuated by a wish to increase my reputation and advance the art to which I have devoted my life, by demonstrating its importance to the country in its present critical condition.

Hoping that if my services are further required, I may receive as early a notice as possible,

I remain, very truly, your obedient servant,

T. S. C. LOWE,
Aeronaut.

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a NOTE.—Since the portable gas generators have been introduced, the whole cost of materials for inflation does not exceed $75. The gas can be generated wherever it is wanted, much less time is required for inflation, and the balloon can be kept inflated for a month or much longer.

noted down. The next day, upon calling on the captain to know what conclusion he had arrived at, I was informed that he had decided to give an order to Mr. Wise to construct a balloon, as his estimate was $100 or $200 less than mine, but that it was possible I might be employed to operate the balloon after it was made. To the latter part of his remarks I replied that I would not be willing to expose my life and reputation by using so delicate a machine, where the utmost care in construction was required, which should be made by a person in whom I had no confidence. I assured him that I had greater experience in this business than any other aeronaut, and that I would guarantee the success of the enterprise if intrusted entirely to my directions.

Feeling confident of the ultimate result, and not being willing to abandon my cherished plans for the benefit of the Government after so much expenditure of time and my own means, I instituted a series of experiments, on my own account, in the Smithsonian grounds, which brought together many officers and scientific men, who strongly recommended the adoption of my system of aeronautics. Among others who witnessed these experiments was Captain Whipple, who, finding that the balloon ordered from Mr. Wise had not arrived at the time promised, desired me to transport my balloon, then inflated, with the army which was moving toward Manassas. My operations at this time are described in the following communication addressed to Major Bache, of the Topographical Engineers, to which I would call particular attention:

WASHINGTON, D. C., *July 29, 1861.*

Major BACHE,
Bureau Topographical Engineers:

SIR: Having spent two months in Washington for the purpose of demonstrating the utility of balloon observations for war purposes, and thus far without any recompense, I feel it my duty before retiring from the seat of war to make a statement of what I have done and what might and can be accomplished, provided the Government would furnish the necessary means, which at most is very small compared with the results that can be attained.

In the first place, the balloon which I have been compelled to use (for want of a more suitable one) was intended for making free voyages, in which comparatively but little strength is required, and not for the purpose of ascension with ropes. On the 18th of June I inflated the balloon, and, with a telegraph apparatus attached, ascended with three persons and demonstrated the feasibility of communicating with the earth, which at times can be rendered very useful. This inflation lasted four days, although subjected to the pressure of several very heavy winds. Two days afterward the balloon was again inflated and transferred fourteen miles from the place of filling, and retained its charge for several days, during which time it was let up repeatedly, and on one occasion 1,000 feet with an officer, who sketched a map of roads and of the enemy's camps at Fairfax Court-House. Much greater results could have been obtained by making a free voyage at an altitude of a mile or two and returning in the upper current toward Washington. I then gave it another coat of varnish, which much increased its retentive power, and demonstrated the utility of the balloon for the purpose of reconnaissance to a number of gentlemen of this city on the Smithsonian grounds. After this I was suddenly required by Captain Whipple to fill my balloon and transport it into the interior of Virginia. Although this balloon was not intended for war purposes, and although I had cherished the hope of being directed to construct another, I concluded to do the best I could, and accordingly set about making the necessary preparations for the voyage; but when these were completed and I was ready to start, I was unable, on account of the absence of Captain Whipple, to procure the men and means for the inflation and transportation. Not being able to obtain assistance from Captain Whipple, who was then on duty, I concluded, on the advice of my friends, to inflate the balloon and procure men for its transportation on my own account, not doubting that my services would be properly appreciated; but to my disappointment I was informed by the director of the gas company that another balloon had arrived and was to be used instead of mine. On the receipt of this intelligence I removed my balloon from the inflating pipes,

to give place to the other balloon, and ceased all further efforts until I was informed, on Sunday, that the competing balloon had proved a failure, and then being urged by several patriotic individuals, and hoping still to render some service to the army at Centerville or Manassas, I commenced on Sunday morning to make preparations for inflating and transporting my balloon, and on the evening of the same day started with it for Virginia. In this enterprise I was aided by the liberality of Colonel Small, who furnished me with twenty men from his command for the purpose. Unfortunately, when we arrived at Falls Church I was informed of the retreat of the army, and thinking it useless to attempt to go farther, I concluded to remain there, even after all the troops had passed by and in the midst of a drenching rain, with the hope that I might be of service in giving information as to the approach of the enemy; but as the pickets were withdrawn, I started again at 4.30 on Monday afternoon to return to Arlington, the rain continuing to fall in torrents, the wind against us, and arrived at Fort Corcoran at 8 o'clock the same evening with the balloon fully inflated, after having been transported against a wind of considerable force, through a distance in all of about twenty miles, the latter half of which was in a violent rain-storm. I remained with the balloon at Fort Corcoran until Wednesday morning, and then, taking advantage of the favorable weather, I ascended at 7.30 o'clock with an ascensional power of 500 pounds beyond the weight of the balloon itself. I obtained an altitude of about three and one-half miles and had a distinct view of the encampments of the enemy, and observed them in motion between Manassas Junction and Fairfax.

From the facts I have stated it must be evident to every one that the balloon can be rendered of essential service in the art of war, and that I have accomplished all I have undertaken without a single failure, with very imperfect means and with scarcely any aid from the Government.

Having thus given an account of what has been accomplished, I now proceed to furnish a statement of what might or can be done if proper facilities are afforded:

First. It is very probable that balloons will be wanted for some time to come in the vicinity of Washington and Alexandria to watch the movements of the enemy and prevent a surprise. For this purpose the balloon now in my possession will answer very well until another can be procured. With it, almost every day or two, ascents can be made to a great altitude, affording an opportunity for several officers at the same time to observe, with good glasses, the position and movements of the enemy in perfect security, without risk of life or property.

Second. While the army is making preparation for another movement a lighter balloon, with portable apparatus, can be constructed in time to move with the troops, and be ready before and during an engagement to furnish the means of observations of the greatest importance.

Having made the necessary inquiries, I find that the required apparatus can be constructed by mechanics now in the Government employ in Washington; that the whole weight of material to inflate the balloon for several days' use will not exceed four tons, and can be carried in two or three wagons, and that the whole expense for inflating, aside from the apparatus, will not exceed $300, including transportation. *a*

It will not be necessary to use this method of inflation, excepting at a distance from gas works too great to move an inflated balloon.

The same apparatus can also be used on the rivers, and ere long will probably be much wanted at Fortress Monroe, Norfolk, and Richmond, and many other places.

Should the Government conclude to adopt the above methods, and desire my services, I will give my plans in detail, and shall be pleased to carry them out. I can truly say that I have not, in my endeavor to introduce balloon observations into use in our Army, been governed by a desire for pecuniary gain, but I have been actuated by a wish to increase my reputation and advance the art to which I have devoted my life, by demonstrating its importance to the country in its present critical condition.

Hoping that if my services are further required, I may receive as early a notice as possible,

I remain, very truly, your obedient servant,

T. S. C. LOWE,
Aeronaut.

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a NOTE.—Since the portable gas generators have been introduced, the whole cost of materials for inflation does not exceed $75. The gas can be generated wherever it is wanted, much less time is required for inflation, and the balloon can be kept inflated for a month or much longer.

The ascension of the 24th of July, alluded to in the foregoing letter, was made in consequence of a report being circulated that the enemy was marching in force on Washington, which caused much excitement. The result of my observations, published the next day, showed this report to be untrue and restored confidence.

In this voyage I started soon after sunrise, while the atmosphere was clear, and sailed directly over the country occupied by the enemy, as the lower current was blowing toward the west. Having seen what I desired, I rose to the upper current and commenced moving toward the east again, until over the Potomac, when I commenced to descend, thinking that the under current would take me back far enough to land near Arlington House. When within a mile of the earth our troops commenced firing at the balloon, supposing it to belong to the rebels. I descended near enough to hear the whistling of the bullets and the shouts of the soldiers to "show my colors." As I had, unfortunately, no national flag with me, and knowing that if I attempted to effect a landing there my balloon—and very likely myself—would be riddled, I concluded to sail on and to risk descending outside of our lines. This I accomplished, and landed on Mason's plantation, five miles and a half from Alexandria and two miles and a half outside of our pickets. A detailed account of my escape would be interesting, but it is sufficient to say that I was kindly assisted in returning by the Thirty-first Regiment New York Volunteers, and brought back the balloon, though somewhat damaged, owing to my having been obliged to land among trees. The balloon was generally supposed to be one of the enemy's, and the authorities in Washington were telegraphed from Arlington to this effect.

On the 29th of July I received the following dispatch from Captain Whipple:

ARLINGTON, *July 29, 1861.*

T. S. C. LOWE:

If you will at once repair your balloon, and will superintend its transportation to this side of the Potomac, the United States will employ you temporarily as follows: The United States will pay for the gas used for the inflation, will furnish twenty men to manage the balloon, will pay you $30 per day for each day the balloon is in use for reconnaissance on the Virginia side of the Potomac. The balloon to be ready for use within twenty-four hours.

A. W. WHIPPLE,
Captain, Topographical Engineers.

In answer to this I informed Captain Whipple that I could not enter upon such an arrangement, but that if the Government would direct me to construct a balloon such as I deemed suitable for military purposes I would only charge $10 a day for my services, instead of $30, and would guarantee entire success. I also stated the cost of the new apparatus and the time required for its construction.

I, however, repaired the balloon, as desired by Captain Whipple, but while transporting it with inexperienced men a distance of ten miles over a rough road, where there were many obstructions, we were overtaken by a heavy storm and I was obliged to discharge the gas. In relation to this occurrence I beg leave to refer to the following letter from Professor Henry:

SMITHSONIAN INSTITUTION, *August 2, 1861.*

Capt. A. W. WHIPPLE,
U. S. Army:

DEAR SIR: I regret very much to learn from Mr. Lowe that you think of giving up the balloon operations, and I write to express the hope that you will make further attempts. A single successful observation will fully repay all that you have yet expended.

The experiment of Wednesday was rendered abortive by the accidental occurrence of a thunder-storm which could not be foreseen. At this season of the year thunder-storms occur generally in the after part of the day or night, and I would therefore advise that the balloon be filled immediately after the clearing off of the sky, and then used as soon as possible after daylight the next day.

Mr. Lowe came to this city with the implied understanding that, if the experiments he exhibited to me were successful, he would be employed. He has labored under great disadvantages, and has been obliged to do all that he has done, after the first experiment, without money. From the first he has said that the balloon he now has was not sufficiently strong to bear the pressure of a hard wind, although it might be used with success in favorable situations and in perfectly calm weather. I hope that you will not yet give up the experiments, and that you will be enabled with even this balloon to do enough to prove the importance of this method of observation, and to warrant the construction of a balloon better adapted to the purpose.

I remain, very truly, your obedient servant,

JOSEPH HENRY.

Up to this time I had used my own machinery, and had a party of persons constantly employed at my own expense to assist in the management of the balloon and to keep it in order.

On the 2d of August I called on Maj. Hartman Bache and gave him a detailed account of what I had accomplished, also setting forth the advantages of using balloons, provided proper facilities were afforded. Upon this Major Bache gave me a letter to Captain Whipple, authorizing him to direct me to construct such a balloon as I desired; upon the receipt of which the latter gave me the following order and instructions:

HEADQUARTERS DEPARTMENT OF NORTHEASTERN VIRGINIA,
Arlington, August 2, 1861.

Mr. T. S. C. LOWE,
Aeronaut:

SIR: You are hereby employed to construct a balloon for military purposes capable of containing at least 25,000 cubic feet of gas, to be made of the best India silk, not inferior to the sample which is divided between us, you retaining a part, with best linen network, and three guys of manilla cordage from 1,200 to 1,500 feet in length. The materials you will purchase immediately, the best the markets afford and at prices not exceeding ordinary rates; and the bills you will forward to me through Maj. Hartman Bache, chief of the Corps of Topographical Engineers. When these materials shall have been collected at Philadelphia, where the balloon is to be constructed, you will report to me, that I may send an officer of the corps to inspect them. You need not, however, wait for the inspecting officer, but go on rapidly with the work, with the understanding that it may be suspended, provided that upon examination the materials or work prove unsatisfactory.

Your compensation from the day of collecting the materials and during the time of making the balloon shall be $5 per day, provided that a reasonable time be allowed for the collection and ten days for making. From and after the day that the balloon shall be ready for inflation at Washington, D. C., your compensation will be $10 per day as long as the Government may require your services.

Inclosed herewith is an order authorizing the purchase of materials necessary for the operation with which you are charged.

Very respectfully,

A. W. WHIPPLE,
Captain, Topographical Engineers.

[Inclosure.]

HEADQUARTERS DEPARTMENT OF NORTHEASTERN VIRGINIA.

Mr. T. S. C. Lowe, aeronaut, is hereby authorized to purchase 1,200 yards of best India silk and sufficient linen thread, cordage, &c., for the construction of a balloon, and all reasonable bills for the same, when presented to me through the Bureau of Topographical Engineers, will be paid.

A. W. WHIPPLE,
Captain, Topographical Engineers.

From this time until the 28th of August was consumed in the construction of the first substantial war balloon ever built.

The main obstacle to the successful use of balloons still had to be overcome, namely, a portable apparatus for generating the gas in the field. I had already devised a plan for this purpose, but, as I could not then obtain an order to construct the apparatus, I was obliged to inflate the balloon as formerly in Washington, and to confine its operations to that locality. At this time I received the following orders from Major Woodruff and Captain Whipple:

WASHINGTON, D. C., *August 28, 1861.*

Mr. LOWE,
Balloonist, Washington, D. C.:

SIR: Get the silk balloon in readiness for inflation immediately. A detail of thirty men will repair to the Columbian Armory to aid you in the inflation and transportation of the balloon.

Respectfully, yours,

I. C. WOODRUFF,
Major, Topographical Engineers.

Inclosed is an order for gas.

I. C. W.

FORT CORCORAN, *August 29, 1861.*

Prof. T. S. C. LOWE:

The general desires you to be here at 8 a. m. to-morrow morning to make an ascension before daybreak to examine camp-fires, and ascend again as soon as it may be light enough to watch for movements of any bodies of men. Should I not be present please write the observations and send them to me by express at Arlington.

A. W. WHIPPLE,
Captain, Topographical Engineers.

These orders were complied with, and during my observations I discovered the enemy for the first time building earth-works on Munson's Hill and Clark's Hill, and also saw their movements along the entire line. In the afternoon I moved the balloon to Ball's Cross-Roads and there took several observations, during which the enemy opened their batteries on the balloon and several shots passed by it and struck the ground beyond. These shots were the nearest to the U. S. capital that had been fired by the enemy, or have yet been, during the war.

From this time the balloon was kept in constant use and daily reports made to the commanding officers. I regret that I kept copies of but few of these, as at the time I did not consider that they would be required. Confidence in this new means of observation soon began to be manifested, and many officers made ascensions, among whom were Generals McDowell, Porter, and Martindale. On the 7th of September Major-General McClellan ascended and made an examination of the enemy's works on Munson's Hill and other points, a view of which it was impossible to obtain by any other means.

From this time to the 27th of September many alarms were given, and the troops called out in line of battle, and in every instance after an examination had been made by means of the balloon the troops were sent back to their quarters and allowed to rest without danger of being surprised.

Having only one balloon, I was necessarily compelled to lose some time to go to Washington for gas, which I invariably did, however, at night.

The following papers will indicate my operations to the 27th of September:

HEADQUARTERS PORTER'S DIVISION,
Fort Corcoran, Va., September 7, 1861.

Professor LOWE:

SIR: General Porter desires you to make a reconnaissance in your balloon as early as possible to-morrow morning. Be kind enough to send the result of your observations to General Porter, whether you discover anything of interest or not.

Very respectfully,

J. F. McQUESTEN.

BALLOON HEADQUARTERS, *September 8, 1861.*

Brigadier-General PORTER,
Commanding Division, Fort Corcoran:

DEAR SIR: According to your request I made two reconnaissances with the balloon this morning. The first a little after 4 o'clock. At that time no lights were visible in the west. At 5 o'clock one light to the right of Munson's Hill and one at Taylor's Corners appeared, which were all that could be seen. I ascended again at 6 o'clock and had a clear view of the works on Munson's Hill, also Upton's, but observed nothing unusual, the strong wind preventing me from attaining an altitude to observe with distinctness anything beyond these points. I will ascend again during the day and report to you.

Your obedient servant,

T. S. C. LOWE,
Aeronaut.

HEADQUARTERS PORTER'S DIVISION,
Fort Corcoran, Va., September 9, 1861.

Professor LOWE,
Fort Corcoran:

PROFESSOR: General McClellan desires you to transfer your balloon to the Chain Bridge early to-morrow to take observations. I have informed him you will inflate as early as practicable and move up to Chain Bridge. I am desirous to see you prosper, and I think you are now on the road. I have recommended an increase of two balloons and movable inflating apparatus, and as soon as the utility of the science is made apparent (which will depend on your energy) I have no doubt of success. Strike now while the iron is hot. I suggested your balloon should be sent up to Chain Bridge or its vicinity, and I doubt not General McClellan will be there, or others, who will work for you if they are satisfied of its utility. General Smith is in command, and I promise a good reception for you.

If I can aid you in any manner, don't hesitate to call. I will be pleased to see you before you go over in the morning, and the result of your morning observation, which I beg of you to take.

I am, sir, with great respect, your obedient servant,

F. J. PORTER.

BALLOON HEADQUARTERS, *September 9—2.30 p. m.*

General PORTER:

I have just concluded another observation with the balloon and had a distinct view of Falls Church.

In answer to your inquiry, I can say that there is no appearance of the enemy in or about Falls Church other than has been reported before. Munson's Hill and other places remain the same.

Very respectfully, your obedient servant,

T. S. C. LOWE.

FORT CORCORAN, *September 11, 1861.*

Professor LOWE:

I have nothing special. As your balloon is near Chain Bridge, I suggest you ask General Smith if he has anything. I presume if you can rise in the morning he would like it. You are of value now.

F. J. PORTER.

ARLINGTON, VA., *September 16, 1861.*

Brig. Gen. F. J. PORTER,
Commanding Division at Fort Corcoran:

SIR: In accordance with your request I herewith send a statement of what I should advise and deem necessary in addition to the means now at hand for the purpose of facilitating and making more frequent reconnaissances with balloons, and from various points at the same time, also for the purpose of being ready to accompany the army whenever a movement is made.

First. An addition of two balloons would be required, with capacities as follows: One of 30,000 cubic feet and one of 20,000, built of the best India silk and linen cordage, with all my late improvements and appliances. The cost of these air vessels complete will be, for the largest, $1,500; the smallest, $1,200.

Secondly. A portable inflating apparatus would be required for the purpose of inflating a balloon at any point where common gas cannot be obtained, and also for the purpose of replenishing the balloons when the gas is partially expended. This would save the expense of an entire reinflation, and also keep the balloon ready for observation at all times; besides, the hydrogen being more buoyant than coal gas, a greater altitude can be obtained.

The whole cost of this apparatus ought not to exceed $500, and can be built by ship carpenters and coppersmiths now in the employ of the Government at Washington. The time required for getting up these balloons and apparatus will be about two weeks, perhaps less, should the weather prove fine while coating the material.

By being supplied with the above additional equipments I feel confident in being able to keep the Government constantly informed of the movements and position of the enemy, as well as the topography of the country. Wherever occasion requires, the balloons can also be used for letting up various colored signal lights at night, which can be made to burn for a long time, and consequently will be seen with more certainty than by any other means.

Very respectfully, yours,

T. S. C. LOWE.

BALLOON HEADQUARTERS, *September 20, 1861.*

Brig. Gen. F. J. PORTER,
Commanding Division, Fort Corcoran:

DEAR SIR: I have just taken an observation from an altitude of 1,000 feet, and find the atmosphere uncommonly clear in the west. I shall move to the place where you first ascended, and would be pleased if you can come and go up with me. We may be able to discover something of interest.

Very respectfully, your obedient servant,

T. S. C. LOWE.

BALLOON HEADQUARTERS, *September 22, 1861.*

Brigadier-General PORTER,
Commanding Division, Fort Corcoran:

During my observations this evening I noticed a pretty heavy picket force on Upton's Hill and several camp smokes at Taylor's Corners. On the west slope of Munson's Hill there appeared to be a full regiment with a set of colors, their bayonets glistening in the sun as if on parade. I could see nothing of the horses you spoke of, but as soon as I can get the balloon inflated again I will go nearer and examine the woods.

Very respectfully, yours,

T. S. C. LOWE.

CAMP ADVANCE, *September 23, 1861.*

General F. J. PORTER:

At about 8.30 to-morrow morning I wish to fire from here at Falls Church. Will you please send the balloon up from Fort Corcoran and have note taken of the position reached by the shell, and telegraph each observation at once.

W. F. SMITH.

HEADQUARTERS PORTER'S DIVISION,
Fort Corcoran, Va., September 24, 1861.

Professor LOWE:

SIR: By direction of General Porter I herewith inclose a telegram from General Smith. It explains itself. Two mounted orderlies will be sent you so that you can, with the assistance of your officer, report and send to these headquarters.

During the time of fire it is very important to know how much the shot or shell fall short, if any at all.

Very respectfully, yours,

J. F. McQUESTEN,
Lieutenant and Aide-de-Camp.

[Inclosure.]

SEPTEMBER 24, 1861.

General F. J. PORTER:

If we fire to the right of Falls Church, let a white flag be raised in the balloon; if to the left, let it be lowered; if over, let it be shown stationary; if under, let it be waved occasionally.

W. F. SMITH.

HEADQUARTERS OF BALLOON,
Arlington, September 24, 1861.

Brig. Gen. F. J. PORTER,
Commanding Division, Fort Corcoran:

SIR: This evening I took the balloon out near Ball's Cross-Roads and remained up nearly two hours. I had a distinct view of the works on a hill about one mile and a half beyond Munson's Hill. There seems to be heavy guns mounted and a pretty heavy force near by. Several tents were visible about there and a number of bodies of men on parade.

To the left of a high bluff, and about ten miles distant to the left, or nearly in a line with Bailey's Cross-Roads, there appeared to be a long line of smoke, as if there were several camps. The smokes of the enemy's pickets are quite numerous, and a large body of men were on Upton's Hill, and also what appeared to be a field piece.

The whole distance from Chain Bridge to Falls Church is shown plainly from my new point of observation, and I think a shell could not be fired without seeing where it strikes.

Should it be convenient for you to come and go up in the morning the first thing, I think you will gain some valuable information.

Very respectfully, your obedient servant,

T. S. C. LOWE.

CHAIN BRIDGE, *September 24, 1861.*

General PORTER:

I am going to Lewinsville to-morrow (Wednesday). Will you let Professor Lowe go up at 11, or little before, to watch the road from Falls Church and round to Lewinsville? Can't practice at fort to-morrow.

W. F. SMITH.

CHAIN BRIDGE, *September 25, 1861.*

Professor LOWE:

General Smith desires you to go up in the balloon this morning to observe the movements of troops, although we will not fire from the fort. The general is going out with the command, and firing will only be done in case the enemy is met.

C. MUNDEE,
Assistant Adjutant-General.

SEPTEMBER 25, 1861.

PROFESSOR: Look out for a battle at Lewinsville, and movements between us and that point.

F. J. PORTER.

Send me word of anything important.

SEPTEMBER 25, 1861.

PROFESSOR: I am anxious about the movement from Chain Bridge. The enemy has moved north and has all his force between General Smith and Lewinsville, evidently to intercept his return.

I wish to get as much information of his movements, or what is transpiring, as possible before sundown. I expect the return of the enemy, and if much dust be visible wish to know it, that I may send out a force.

F. J. PORTER.

If you can get up against this wind, will be glad. An important move is on foot.

HEADQUARTERS OF BALLOON, *September 25, 1861.*

Brigadier-General PORTER,
Commanding Division, Fort Corcoran:

SIR: Soon after you departed I heard the report of three guns toward Chain Bridge. I ascended and remained up until 12 o'clock, during which time no more guns were fired. About three miles in advance of Chain Bridge I could distinguish the glistening of bayonets and quite a large body of men in motion, but as they were going from the bridge I concluded they were General Smith's forces.

The parade at the Seminary made a grand display, while on Munson's Hill quite a large crowd were gathered. After descending I heard two more guns in the direction of the Chain Bridge, but the wind has arisen and prevents me from taking any observations at present. I am confident that there is no great movement on the part of the enemy, or I should have seen something of it, although the distance and heavy smoke are great obstacles to-day in that direction.

Very respectfully, your obedient servant,

T. S. C. LOWE.

QUARTERMASTER-GENERAL'S OFFICE,
Washington City, September 25, 1861.

Prof. T. S. C. LOWE:
(In care Maj. S. Van Vliet, senior quartermaster, Army of the Potomac, Washington.)

SIR: Upon the recommendation of Major-General McClellan the Secretary of War has directed that four additional balloons be at once constructed under your direction, together with such inflating apparatus as may be necessary for them and the one now in use. It is desirable that they be completed with the least possible delay.

Very respectfully, your obedient servant,

M. C. MEIGS,
Quartermaster-General.

On the 30th of September the balloon was taken to Upton's Hill and used constantly, General McDowell, the Count de Paris, and other officers ascending with me and gaining much valuable information greatly needed at the time, as there was no other means of learning the position and movements of the enemy, and where an attack was expected. I received many complimentary remarks during the day from the officers, who were satisfied of the value of the balloon for reconnaissances.

From the 1st to the 12th of October the balloon was left in charge of an assistant while I was engaged in the construction of the balloons and gas generators ordered by the Secretary of War.

QUARTERMASTER-GENERAL'S OFFICE,
Washington City, October 1, 1861.

Lieut. Col. G. H. CROSMAN,
Deputy Quartermaster-General, Philadelphia, Pa.:

COLONEL: The Secretary of War having authorized Professor Lowe to construct four balloons for military purposes, you will pay for them, and such bills as may be made by him in their construction, the whole amount to be paid being about the sum he names as their cost, viz, for the two largest $1,500 each, and for the smallest $1,200 each.

Very respectfully, your obedient servant,
By order:

E. SIBLEY,
Brevet Colonel, U. S. Army, Deputy Quartermaster-General.

GENERAL MCCLELLAN'S HEADQUARTERS,
Washington, October 12, 1861.

Professor LOWE:

General McClellan directs that you report yourself to General Smith at Johnson's Hill. Be there sure to-morrow, Sunday night.

A. V. COLBURN.

In accordance with the above order I inflated the balloon the same evening and started at 9 p. m. Our progress was slow, the night

being very dark, and we were constantly apprehensive of running the balloon against trees or other obstacles. After passing through Washington and Georgetown, crossing numerous flag ropes and telegraph wires stretched across the streets, we reached the road to the Chain Bridge. This was lined with trees and we were compelled to go across the fields, as the wind was too high to tow the balloon when elevated, and it soon became cloudy and so dark that it was with the utmost difficulty we advanced. At several points trees had to be felled to allow a passage for the balloon. We arrived at the Chain Bridge about 3 o'clock the next (Sunday) morning, and found it filled with artillery and cavalry going to Virginia. In order to take the balloon over my men were obliged to mount the trestle-work and walk upon the stringers, only eighteen inches wide and nearly 100 feet above the bed of the river. Thus, with the balloon above their heads, myself in the car directing the management of the ropes, the men getting on and off the trestle-work, with a column of artillery moving below, and 100 feet still lower, the deep and strong current rushing over the rocks, while the sky was dark above, the scene was novel, exciting, and not a little dangerous. At daybreak we arrived near Lewinsville, nearly exhausted by the excessive fatigue of the trip. Here a strong wind sprung up suddenly and I was obliged to lash the balloon with strong ropes to stumps in a field. In a few minutes the wind increased to a terrific gale, which continued for an hour, tearing up trees by the roots close to where the balloon was anchored. When the storm reached its height the cordage gave way and the balloon escaped. It ascended to a great height, and in less than an hour landed to the eastward on the coast of Delaware, a distance of about 100 miles, where I afterward obtained it. This gale proved the great strength of the balloon silk, and that the cordage was insufficient in comparison, although it was capable of bearing a strain of ten tons. I immediately ordered all the rest of the cordage used for my balloons to be made strong enough to resist a strain of twenty-five tons, which has proved sufficient to resist any gale thus far.

From this time to the 10th of November I was occupied in superintending the construction of balloons and gas generators. From the latter date to the end of the year the following reports and communications (to which I would call attention) embrace the principal operations in which I was engaged.

BALLOON EXPEDITION ON BOARD
U. S. STEAM TUG CŒUR DE LION,
Mouth of Mattawoman Creek, Sunday Evening, November 10, 1861.

Major-General HOOKER:

SIR: In obedience to orders of Major-General McClellan I have come to this place for the purpose of making an aeronautic observation of the forces of the enemy. The balloon will be inflated immediately, so as to be ready for use early to-morrow morning.

Will you have the kindness to detail an officer to confer with me, so that I may make such dispositions and arrangements as will best enable me to accomplish the object for which I have been sent.

Very respectfully, your obedient servant,

T. S. C. LOWE,
Chief Aeronaut, U. S. Army.

NAVY-YARD,
Washington, D. C., November 12, 1861.

Lieutenant-Colonel COLBURN:

DEAR SIR: I have the pleasure of reporting the complete success of the first balloon expedition by water ever attempted. I left the navy-yard early Sunday

morning, the 10th instant, with a lighter (formerly the G. W. P. Custis) towed out by the steamer Cœur de Lion, having on board competent assistant aeronauts, together with my new gas generating apparatus, which, though used for the first time, worked admirably. We located at the mouth of Mattawoman Creek, about three miles from the opposite or Virginia shore. Yesterday I proceeded to make observations, accompanied in my ascensions by General Sickles and others. We had a fine view of the enemy's camp-fires during the evening, and saw the rebels constructing new batteries at Freestone Point. I was under the necessity of returning for some necessary articles this morning, and will go back immediately to continue in person the reconnaissances.

After making all necessary arrangements below, and leaving a competent aeronaut and assistants in charge, I shall return and place the other balloons wherever the general desires them. I have now a competent aeronaut for each of the new balloons, and in the course of a few days they can all be in active operation. I will call and see you on my return.

Your obedient servant,

T. S. C. LOWE,
Aeronaut.

HEADQUARTERS OF THE ARMY,
November 16, 1861.

Professor LOWE:

General McClellan desires me to say that he desires to have the first balloon kept ready to be sent to Port Royal; the second one he desires to have sent to Brigadier-General Stone, at Poolesville, as soon as it is ready.

I am, sir, very respectfully, your obedient servant,

A. V. COLBURN,
Assistant Adjutant-General.

HEADQUARTERS OF THE ARMY,
Washington, November 16, 1861.

Professor LOWE:

General McClellan desires that you have a balloon ready to be taken to Port Royal by the first opportunity. It is impossible to tell exactly when it can be sent, but I will try to give you three or four days' notice.

Very respectfully,

A. V. COLBURN,
Assistant Adjutant-General.

A report was circulated that the enemy were advancing their forces, and I was ordered to make a reconnaissance, of which the following was the result:

NATIONAL HOTEL,
Washington, November 21, 1861.

Lieut. Col. A. V. COLBURN:

DEAR SIR: Yesterday I inflated one of the balloons, the Intrepid, and moved it to Minor's Hill. It being too late for taking observations last night, I ascended at daybreak this morning, and remained up until 8 o'clock, which was sufficient to ascertain that the enemy is not in force this side of Centerville. Judging from our own camp-fires and smokes, I should say there may be three or four regiments at Fairfax Court-House; twice that number at Centerville and more at Manassas, but nothing like the amount of smokes from our own camps in General Porter's division.

Their line of picket smokes near the line of the Leesburg turnpike was quite regular, and occasionally pickets could be seen in the roads and clearings, but owing to the haziness of the atmosphere no moving bodies of troops or their tents were visible. The balloon for the South is all ready. Can you tell me from what place I shall ship the materials for making gas? If from here I must have them sent from Philadelphia to this city, that they may be ready.

I intend going down the river to-morrow to reinflate the balloon at Budd's Ferry. By that time the apparatus for Poolesville will be ready, and I will station one there also.

Very respectfully, your obedient servant,

T. S. C. LOWE.

HEADQUARTERS OF THE ARMY,
November 22, 1861.

Prof. T. S. C. LOWE:

General McClellan desires that you send a balloon to Fort Monroe this evening or at latest by to-morrow evening's boat to go to Port Royal. The transports will leave Fort Monroe day after to-morrow.

A. V. COLBURN,
Assistant Adjutant-General.

If Captain Craven can spare the Cœur de Lion, and Captain Dahlgren also, the Department agrees to allow her to take Professor Lowe to Old Point.

G. V. FOX,
Assistant Secretary.

WASHINGTON, *November 23, 1861.*

Major-General HOOKER,
Budd's Ferry, Md.:

I start for Fortress Monroe to-morrow afternoon. Will take the balloon-boat down with me. Please inform me at what point I can anchor where it will be safe, and will be of the most service to you.

T. S. C. LOWE,
Chief Aeronaut, U. S. Army.

BUDD'S FERRY, *November 24, 1861.*

Professor LOWE:

The safest and most convenient place for anchoring your steamer will be about one mile below your former anchorage. The balloon is now near the Posey house, and it is from that point I desire to make the next ascension if agreeable to yourself.

JOSEPH HOOKER,
Brigadier-General.

OLD POINT, VA., *November 27, 1861.*

Brig. Gen. T. W. SHERMAN,
Commanding Forces at Port Royal, S. C.:

SIR: By direction of General McClellan I send to your command a balloon and aeronautic apparatus in charge of Mr. J. B. Starkweather, aeronaut, who will report to you for service. For the purpose of aiding in these operations Mr. Starkweather will require thirty men and a good officer. Should it be necessary to take observations at various points, there will be required two ordinary army wagons to convey the gas generators and materials. Anything further that will be required will be made known by the aeronaut.

Very respectfully, your obedient servant,

T. S. C. LOWE,
Chief Aeronaut, U. S. Army.

HALL'S HILL, *November 30, 1861.*

Professor LOWE:

Promise of a fair day to-morrow. Your balloon is wanted, and it is of the highest importance that it should be here to take advantage of the first calm. Can it be here early in the morning? I will send in men now if you will send it.

F. J. PORTER.

WASHINGTON, *November 30, 1861—11.45 p. m.*

Brig. Gen. F. J. PORTER,
Hall's Hill, Va.:

Please send in the men and I will do my best to get the balloon there. The inflating apparatus, as fast as finished so far, has been ordered to other points, or I would make the gas on the ground; but for this time I must tow it, as soon as the men get here.

T. S. C. LOWE,
Aeronaut.

NOVEMBER 30, 1861.

General HOOKER:

General McClellan desires me to get a map of the enemy's position opposite your command. Can you accommodate me by sending up a draughtsman, and forwarding the result to the general?

This fine weather will not last long. Please have the aeronaut improve every opportunity.

T. S. C. LOWE,
Chief Aeronaut.

WASHINGTON, *December 1, 1861.*

WILLIAM PAULLIN,
In Charge of Balloon, Budd's Ferry:

Do not reinflate the balloon until it has another coat of varnish, unless it is perfectly tight. I will send you an assistant with all the necessary articles to-morrow. Improve every calm hour from daybreak until dark. Examine the shore opposite Mattawoman Creek, and keep me constantly informed.

T. S. C. LOWE.

WASHINGTON, D. C., *December 3, 1861.*

Lieut. Col. A. V. COLBURN,
Assistant Adjutant-General:

DEAR SIR: I have the honor to communicate to you the disposition thus far of the new balloons in my charge. The balloon Constitution is at Budd's Ferry—General Hooker's division. The Washington, with gas generating apparatus and materials, is *en route* for Port Royal, S. C. The Intrepid, of larger dimensions, is at General Porter's division, Hall's Hill. The Union, same size, is intended for Poolesville, and is now ready, but has been delayed at the navy-yard for work on gas-generating apparatus that was promised me three weeks ago. It was supposed to be a matter of economy to have this apparatus constructed at the navy-yard. This season of the year is not the most propitious for continued reconnaissances, but when all the work now under my supervision is completed, no favorable opportunity for observations, night or day, will be allowed to pass unimproved.

I have thus far exercised, and in the future shall continue to exercise, the most untiring diligence in the prosecution of the important labors intrusted to me; but, in my judgment, the interests of this branch of service require the immediate construction of two small balloons, for the following, among other reasons, which I herewith respectfully commend to your favorable consideration: When General McClellan recommended, and the Secretary of War ordered, the addition of four balloons, the possibility or probability of using either of them at the South was not considered; therefore, as the ample supply of coal gas at Washington justified me in doing, I made two of them of larger dimensions, so that being filled with coal gas they would economically accomplish the equivalent of the work expected from a smaller envelope filled with hydrogen, notwithstanding the difference in levity of the two gases. These two small hydrogen balloons, as compared with the larger ones, will be particularly serviceable at the present time, as they will require one wagon less each for moving generators, while the diminished amount of material required will also tax our transportation facilities to a much less extent.

Lastly, the most important advantage gained will be that a light balloon, of small dimensions, well filled with hydrogen, presents so much less surface to the wind, and can consequently be used in the heavier weather. These qualities are embraced in the balloons Washington and Constitution.

Hoping the general will allow me to construct the two small balloons, while the larger ones are held in reserve as future contingencies may determine,

I remain, dear sir, very respectfully, your obedient servant,

T. S. C. LOWE.

WASHINGTON, D. C., *December 10, 1861.*

Lieut. Col. A. V. COLBURN,
Assistant Adjutant-General:

DEAR SIR: One of my assistants arrived this morning from General Hooker's headquarters and reports that the balloon has been constantly used for the past week making observations of the enemy's movements and position. A large number of ascensions have been made, the aeronaut being accompanied by Colonel Cowdin, Colonel Small, and others. Colonel Small while up with the balloon made a very fine map of the enemy's works and surrounding country, a copy of which is being prepared, and will be forwarded to headquarters.

Very respectfully, your obedient servant,

T. S. C. LOWE,
Chief Aeronaut.

WASHINGTON, D. C., *December 16, 1861.*

Lieut. Col. A. V. COLBURN,
Assistant Adjutant-General:

DEAR SIR: I returned yesterday from Poolesville, after stationing a balloon and necessary inflating apparatus with General Stone's division. This is the third of the new inflating apparatus which has been sent out, and three more are now ready to go as soon as the other two balloons are finished. I commenced inflation at Edwards Ferry on Friday at 4 p. m., and in three hours generated gas sufficient to lift 1,200 pounds.

On Saturday morning I ascended quite early and took an observation of the enemy's country. Very few troops were visible, and these were scattered both up and down the river. We could see into nearly every street of Leesburg, but scarcely any troops were visible. The main body appears to be between Leesburg and Centerville—I should judge fifteen or twenty miles below the former—as camps and heavy smokes were quite visible in that direction.

Later in the day I ascended again, and a number of their tents which were visible in the morning inside of their earth-works between Edwards Ferry and Leesburg were taken down, and teams were observed moving toward the village of Leesburg.

In the afternoon I was accompanied in my ascension by General Stone, who added several points to his map. The balloon still remains inflated, and will be ready for use at all times, in charge of a competent assistant aeronaut. The balloon now located at Budd's Ferry has been inflated over two weeks without any replenishing.

The communication of W. G. Fullerton, of December 2, in reference to photographic pictures taken from the balloon which was referred to me, has been examined, and I would say that the author advances no new ideas. As soon as other matters connected with the balloons are accomplished I shall give the photographic matter a thorough and practical test.

Very respectfully, your obedient servant,

T. S. C. LOWE,
Aeronaut.

During the months of January and February balloons were kept in constant use at Budd's Ferry, Md., under the orders of General Hooker; at Poolesville, Md., General Stone's command; at Port Royal, S. C., General Sherman's command, and there was one also sent to Cairo, Ill. The one last mentioned was used by Commodore Foote at the attack on Island No. 10. During the bombardment an officer of the Navy ascended and discovered that our shot and shell went beyond the enemy, and by altering the range our forces were soon able to compel the enemy to evacuate.

Up to the 1st of March I was principally occupied in visiting the different balloon stations and keeping everything in order. As the reports were made directly to the officers in command of the posts where the balloons were stationed, I can only furnish the following communications:

POOLESVILLE, *January 20, 1862.*

Professor LOWE,
National Hotel, Washington:

Please send up the small balloon immediately. The large one has suffered in its varnish from the excessively bad weather.

C. P. STONE,
Brigadier-General of Volunteers.

POOLESVILLE, *January 25, 1862.*

Professor LOWE,
National Hotel, Washington:

The balloon Intrepid got an inch of ice on it last night and is reported much injured. Hurry up the smaller one.

C. P. STONE,
Brigadier-General.

On the 10th of February I transmitted the following report of observations made by one of my assistants on Monday afternoon, 3 p. m., near Edwards Ferry:

Since my last observation I have discovered an increase of encampments in and about Leesburg, Va. They have commenced throwing up earth-works on the south side of Goose Creek and one mile and a half from the river.

No additional improvement has been made upon the old work that commands the ferry, and I think it is still unfinished.

The large fort west of Leesburg has been improved. It also appears that they have mounted some heavy guns. I could see no change about the works south of Leesburg. (I should judge that these were intrenchments.)

There are two large encampments (new) on the road running to the west from Leesburg, near the large stone house, which is, I think, one mile from town; also an encampment in the woods south of the large fort and west of the two encampments near the stone bridge.

On the north and south side of Leesburg I noticed an increase of encampments close to the town.

In and around the large fort west of Leesburg there is, I think, a regiment.

On Goose Creek, about three miles from the river, there are some encampments. I could not tell how many there were, as they are partly concealed by the woods.

About five miles to the southeast of Goose Creek and one mile from the river I observed large quantities of smoke rising from the woods.

To the rear of Ball's Bluff I observed a small camp (two or three companies).

Judging from the size and number of encampments, I should think there were from 10,000 to 12,000 troops opposite.

POOLESVILLE, *February 21, 1862.*

T. S. C. LOWE:

I should like the balloon to be put in readiness to make an ascension as early as possible.

JNO. SEDGWICK,
Brigadier-General, Commanding Division.

On the 1st of March, by request of General Heintzelman, I was ordered to take a balloon to Pohick Church, on the Occoquan River, and the following are some of the reports made at that time:

POHICK CHURCH, *March 5, 1862.*

Captain MOSES,
Assistant Adjutant-General, Fort Lyon, Va.:

Have just made two ascensions with the balloon. It is fully inflated, and will take up two persons with all the ropes. If to-morrow is a fine day it would be a good time for the general to go up. I can see camp-fires on the Occoquan.

T. S. C. LOWE,
Chief Aeronaut, U. S. Army.

MARCH 6, 1862—11 a. m.

Brigadier-General MARCY,
Chief of Staff, Army of the Potomac:

I made two ascensions last evening. Saw fires at Fairfax Station; some on the road near the Occoquan. This morning cavalry scouts are visible on this side of the Occoquan below Sandy Run. There are five large smokes on the other side of the Occoquan, commencing at the ford below Wolf Creek and extending to the Potomac. Judging from appearances, compared with General Hooker's division, I should think their force inferior to his. The balloon at Budd's Ferry has been up all the morning at the same time with me. If the force here could be advanced across Pohick Creek on the heights, I should have no difficulty in getting very near the exact number of the enemy, as well as all of their fortified places.

We could also signal from one balloon to the other, which would be of importance to me.

I have sent for the balloon at Poolesville. Please inform me where to station it.

Your obedient servant,

T. S. C. LOWE,
Chief Aeronaut.

POHICK CHURCH, *March 6, 1862.*

Brig. Gen. R. B. MARCY,
Chief of Staff, Army of the Potomac:

GENERAL: I ascended at 5 this p. m. and remained up until 6 o'clock. It was calm and clear, and many of the enemy's camps were visible, and the smoke ascending straight gave a good idea of the enemy's position.

There are more smokes than usual at Fairfax Station, and a line of picket smokes extending southeast from there and nearly forming a junction with our lines running toward Springfield Station.

Heavy smokes (besides those seen in the morning) at Dumfries, Brentsville, Bradley's, and Manassas. General Heintzelman was here at 2 o'clock and went up twice.

I am greatly in need of that map that I spoke about yesterday to enable me to name places and distances more correctly. The one I have is small and inaccurate.

Very respectfully, your obedient servant,

T. S. C. LOWE,
Chief Aeronaut.

POHICK CHURCH, *March 6, 1862.*

Capt. E. SEAVER,
In Charge of Balloon, Budd's Ferry, Md.:

I saw your balloon up this morning, but not this p. m. If to-morrow morning is calm I shall ascend at 7 o'clock, or the first favorable spell. Do the same at your place, with one of your signal officers, that I may see if signals may be used at this distance.

T. S. C. LOWE,
Chief Aeronaut.

On the 7th General Berry, of General Heintzelman's command, ascended several times and discovered the evacuation of the Occoquan, which he reported to the latter officer. This was the first indication of the retirement of the enemy from Manassas.

I was personally absent in Washington, preparing a balloon to be taken to a point near Fairfax Court-House to watch for the evacuation, as it was somewhat expected, but for want of transportation I was unable to reach Fairfax until the 10th. To show with what esteem the commanding general held the operations of the aeronautic department, the following orders are submitted, which embrace all the items of interest up to the 1st of April, and it is believed that they indicate an appreciation of my services after an experience of the previous seven months:

WASHINGTON, D. C., *March 12, 1862.*

Mr. T. S. C. LOWE,
Aeronaut, Army of the Potomac:

SIR: You will make arrangements without delay to send to Fortress Monroe, Va., a balloon with all the requisite apparatus and materials for inflating it and making ascensions, and an aeronaut to manage the same.

By order of Major-General McClellan:

J. N. MACOMB,
Lieutenant-Colonel, Aide-de-Camp, in Charge of Balloons.

HALL'S HILL, *March 8, 1862.*

Professor LOWE,
National Hotel, Washington:

I am authorized by General McClellan to call upon you for the balloon and inflating apparatus from Poolesville, and will be glad to have it here at as early an hour as possible, to take an observation a short distance in advance, where it will be well protected. Please reply what hour you will send it, as I desire to take an advantage of clear and calm weather. I wish the balloon but a few hours.

F. J. PORTER,
Brigadier-General.

HALL'S HILL, *March 9, 1862.*

Professor LOWE:

Have your balloon out to Fairfax Court-House at as early an hour to-morrow as possible. Major Stone will give you all the facilities you desire. Show this to him.

By command of General F. J. Porter:

FRED. T. LOCKE,
Assistant Adjutant-General.

WASHINGTON, D. C., *March 13, 1862.*

Maj. Gen. J. E. WOOL,
Commanding Department of Virginia, Fortress Monroe, Va.:

GENERAL: By order of Major-General McClellan I send to you an aeronaut, Mr. E. Seaver, with a balloon and all necessary apparatus for making ascensions, who is instructed to report to you without delay.

I would very respectfully request that the aeronaut be furnished with such aid as may be required to manage the balloon to the best advantage, and trusting that by its means you will be able at all times to ascertain the position and movements of the enemy,

I remain, with respect, your obedient servant,

T. S. C. LOWE,
Chief Aeronaut, Army of the Potomac.

WASHINGTON, D. C., *March 15, 1862.*

Lieut. Col. J. N. MACOMB,
Aide-de-Camp and Major of Topographical Engineers:

COLONEL: In accordance with orders, I proceeded yesterday from the Washington Navy-Yard to Budd's Ferry, and shipped the balloon and apparatus on board the steamer Hugh Jenkins, for Fortress Monroe, Va.

The dispatch which I had sent to Mr. Seaver to get the apparatus in his charge ready to move had not been received, and I found the balloon on the Virginia side of the river inflated, where it had been in use, and consequently my time was occupied during the entire night in getting the things together and shipping the same, in order that they might be on the way this morning, which I accomplished. On examination it was found impossible to turn the balloon barge until some repairs have been made to her rudder post, which got damaged during the late storm. I therefore sent the generator mounted upon wheels.

I sent Mr. Seaver to operate the balloon at Fort Monroe, with credentials, as Mr. Mason and Mr. C. Lowe did not arrive in time, they being occupied at Fairfax Court-House and Pohick Church, arranging apparatus for moving. I will send one of them to assist Mr. Seaver to-morrow or next day.

Very respectfully, your most obedient servant,

T. S. C. LOWE,
Chief Aeronaut.

SEMINARY, *March 20, 1862.*

Professor LOWE,
National Hotel, Washington:

I wish your balloon to embark with me at 9 to-morrow.

F. J. PORTER,
Brigadier-General, Headquarters near Seminary.

HEADQUARTERS PORTER'S DIVISION,
March 21, 1862.

OFFICER IN CHARGE OF BALLOON PARTY:

SIR: You will prepare to embark this morning with this division. You will take three days' cooked provisions and three days' uncooked. You will be ready to march by 9 o'clock this morning.

By command of Brig. Gen. F. J. Porter:

FRED. T. LOCKE,
Assistant Adjutant-General.

HEADQUARTERS ARMY OF THE POTOMAC,
Near Alexandria Seminary, Va., March 22, 1862.

Mr. LOWE,
National Hotel, Washington, D. C.:

SIR: The commanding general directs that you make your arrangements to proceed to Fort Monroe with your balloons the same time that he moves, probably in the course of the following week.

The general will probably establish his headquarters on the steamer Commodore in a day or two.

I inclose your accounts approved, and with an order for its payment by Lieutenant-Colonel Macomb indorsed thereon.

Very respectfully, your obedient servant,

S. WILLIAMS,
Assistant Adjutant-General.

HEADQUARTERS ARMY OF THE POTOMAC,
March 23, 1862.

T. S. C. LOWE,
Chief Aeronaut, National Hotel, Washington:

The commanding general directs that you proceed with your balloons and apparatus to Fort Monroe, Va., and there await his further orders.

It is understood that you have left a balloon with General Wadsworth, and that General F. J. Porter has one with him. Is this so? Please answer.

S. WILLIAMS,
Assistant Adjutant-General.

HEADQUARTERS ARMY OF THE POTOMAC,
March 23, 1862.

Prof. T. S. C. LOWE,
Chief Aeronaut, National Hotel:

The commanding general directs that on arriving at Fort Monroe you land all your balloons save one, which you will keep on board subject to his future directions.

S. WILLIAMS,
Assistant Adjutant-General.

On the 3d of April I received an order from General McClellan to accompany General Porter in his advance to Yorktown. On the following morning at 5 o'clock the division left Hampton and advanced as far as Cockletown, and on the 5th arrived in front of Yorktown. The aeronautic train, consisting of four army wagons and two gas generators, having to move in the rear, arrived a little after noon and were put in position for inflating the balloon. Our operations were impeded for an hour or more by our position being shelled by the enemy, but notwithstanding this the balloon was ready at 5.30 o'clock, and an observation was taken by an officer of the general's staff. At 3 o'clock the next morning I ascended and remained up until after daylight, observing the camp-fires and noting the movements of the enemy. On descending a messenger handed me the following order:

APRIL 6, 1862.

Professor LOWE:

The commanding general desires you to make an ascension as soon as you can. Look for the movement of wagons and teams; also where the largest number of men are.

Send word what is passing as soon as you can.

Very respectfully,

FRED. T. LOCKE,
Assistant Adjutant-General.

These observations being of great importance, I went to General Porter's tent and made my report, and requested that he should ascend that he might judge for himself of the number of the enemy and strength of their works. This he did, and remained up one hour and forty-five minutes at an elevation of 1,000 feet, and within a mile of the enemy's works. On descending, all the generals were called together and a council held. During the day several draughtsmen were sent up who sketched maps of the positions of the enemy, &c. In the afternoon the Count de Paris ascended with General Porter, and near sundown General Butterfield ascended to a height of 1,000 feet.

The observations and maps thus made were of the greatest importance, and readily enabled the commanding officer to decide what course he would pursue.

In the evening of the same day I received the following order from General McClellan:

HEADQUARTERS ARMY OF THE POTOMAC,
April 6, 1862.

Professor LOWE:

General McClellan directs that you send a balloon to General Keyes' headquarters at Warwick Court-House as soon as possible.

By command of Major-General McClellan:

A. V. COLBURN,
Assistant Adjutant-General.

In compliance with this order I proceeded to Fortress Monroe to move another balloon to General Keyes' command, and left the one then inflated and in use before Yorktown in charge of the only assistant aeronaut I was then allowed, excepting one in charge of the balloon-boat at Fortress Monroe.

After stationing the balloon at Warwick Court-House (the train having to move over the worst roads I ever saw) I started on the night of the 10th for Yorktown. Our lines having been changed during my absence, I found myself, about 9 o'clock p. m., within the enemy's lines. I was not sensible of the danger I was in until I heard signals given by a low whistle, which I at once knew to be those of the rebels, and accordingly cautiously retraced my steps and spent the night at the camp of one of our advanced regiments. The next morning at daybreak I took the road to Yorktown, and at 6.30 I was surprised by the descent of a balloon very near me. On reaching the spot I found it to be the one I had left in charge of my assistant at Yorktown, and General Fitz John Porter the occupant. The gas had entirely escaped when the balloon reached the earth, from the fact that the general in his eagerness to come to the ground (on finding that the rope by which the balloon was let up had parted) had opened the valve until all the gas had escaped, and as the balloon was constantly falling the silk was kept extended, and presented so large a surface to the atmosphere that it served the purpose of a parachute, and consequently the descent was not rapid enough to be dangerous.

I would here remark that a balloon suddenly relieved of its gas will always form a half sphere, provided it has a sufficient distance to fall in to condense a column of air under it. A thousand feet would, I presume, be sufficiently high to effect this and to make the descent in safety.

On inquiring into the cause of the accident I found that Mr. Allen, the assistant in charge of the balloon, had used but one rope, as had been his idea of topical ascents, instead of three and sometimes four, as I always did, and that rope had been partially injured by acid which had accidentally got on it.

I found it difficult for a time to restore confidence among the officers as to the safety of this means of observation on account of this accident, but the explanations and the personal ascensions I made gradually secured a return of their favor, and on the 13th of April I received the following communication:

APRIL 13, 1862.

PROFESSOR: General Barnard is General McClellan's chief engineer, and is located in his camp. General McClellan is very anxious for him to have an ascension early in the morning, and General B. will be prepared to accompany your messenger, whom I beg of you to direct to wait to take General Barnard to

the location of the balloon. I would ascend myself did not General B. wish and General McClellan wish him to go. General McClellan's camp is along the telegraph wire. Send the messenger to me if you do not know. I beg of you to give him a good and safe ascension.

Yours, truly,

F. J. PORTER.

P. S.—Send one of our men to rouse General B. at daylight, and wait to take him to your balloon. I think the best place is down the hollow where you were camped.

On the following morning I called in person on General Barnard at daybreak and accompanied him to the balloon, when he ascended to an elevation of 1,000 feet and remained two hours. After breakfast he made two more ascents at different points, and expressed himself highly gratified with the information thus gained. From this time until the evacuation of Yorktown the balloons were kept in constant use, and reports were made by myself and many officers who ascended daily.

I regret that I have not more copies of reports, but as I had my camp at headquarters I usually made my reports verbally, assisted in my explanations by references to maps. Almost daily whenever the balloon ascended the enemy opened upon it with their heavy siege guns or rifled field pieces, until it had attained an altitude to be out of reach, and repeated this fire when the balloon descended, until it was concealed by the woods.

PORTER'S HEADQUARTERS,
April 29, 1862.

Captain MCKEEVER:

Please say to Professor Lowe, or his assistant, I would like to make an ascension as soon as the weather will permit, if they will notify me.

F. J. PORTER,
Brigadier-General.

CAMP WINFIELD SCOTT,
Near Yorktown, Va., April 29, 1862.

Brig. Gen. S. VAN VLIET,
Chief Quartermaster, Army of the Potomac:

GENERAL: The commanding general directs that you cause to be issued to Professor Lowe, chief of balloon department of this army, such means of transportation and quartermaster's supplies as may be necessary to enable him to perform the duties with which he is charged.

Very respectfully, your obedient servant,

S. WILLIAMS,
Assistant Adjutant-General.

On the 3d of May I made a reconnaissance near Warwick Court-House and again before sundown before Yorktown, General McClellan and staff being on the spot; General Porter and myself ascended. No sooner had the balloon risen above the tops of the trees than the enemy opened all of their batteries commanding it, and the whole atmosphere was literally filled with bursting shell and shot, one, passing through the cordage that connects the car with the balloon, struck near to the place where General McClellan stood. Another 64-pounder struck between two soldiers lying in a tent, but without injury. Fearing that by keeping the balloon up the enemy's shots would do injury to the troops that were thickly camped there, General Porter ordered the balloon down. While making preparations to ascend again I received the following order:

YORKTOWN, *May 3, 1862.*

Professor LOWE:

The general says the balloon must not ascend from the place it now is any more.

G. MONTEITH.

At about midnight, however, I was aroused by Captain Moses, of General Heintzelman's staff, who informed me that the general was apprehensive that the enemy were evacuating, from the fact of the constant cannonading, and that a heavy fire was also raging in Yorktown. I immediately ascended and saw that the fire was confined to one building or vessel near the wharf, and therefore I did not consider it a sufficient indication that they were evacuating, for if destruction of property was intended, they would burn their barracks, tents, wharves, store-houses, &c. I therefore considered the fire to be accidental.

I did not sleep any more, however, that night, and got the balloon ready for another ascension, which I made before daylight; but, as formerly, at this time in the morning I could see no camp-fires. As soon as it became a little lighter I discovered that the enemy had gone. This I immediately communicated to General Heintzelman, who on learning it ascended with me, satisfied himself of the fact, and reported it by telegraph to General McClellan, sending the message down from the balloon without descending. We then remained up and saw our troops advance toward the empty works, throwing out their skirmishers, and feeling their way as if expecting to meet an enemy. Of course we had no means of communicating to let our advance guard know where the enemy were, which we could see, as their rear guard was not more than one mile from Yorktown.

From the above facts it is fair to presume that the first reliable information given of the evacuation of Yorktown was that transmitted from the balloon to General McClellan by General Heintzelman and myself. Further proof of this, if necessary, will be found in General Heintzelman's report of the battle of Williamsburg, which I regret I have not at hand to quote from.*

I would also refer to the pamphlet written by Prince de Joinville, where in speaking of the evacuation of Yorktown and in other places he alludes to the ascensions of the balloon as an everyday occurrence in the Army of the Potomac for reconnaissances, and of their being frequently fired at by the enemy.

At about 7 o'clock the balloon was taken into Yorktown and observations made of the river for thirty miles. From the reports made that a number of vessels were in sight, our gun-boats were enabled to capture some and cause the destruction of many more.

To show how suddenly the enemy withdrew from Yorktown, I insert the following report to General Keyes, made verbally at the time and subsequently in writing:

ROPER'S MEETING-HOUSE, *May 11, 1862.*

Brig. Gen. E. D. KEYES,
Commanding Fourth Corps, Army of the Potomac:

GENERAL: In accordance with your request that I should give you a statement of the results of my observations from the balloon stationed at General Smith's division, near Warwick Court-House, on Saturday, May 3, I give the following:

I ascended at noon, and remained at an elevation of nearly a thousand feet for one hour. Could see the rebel line of works and camps from York to James Rivers. At a point which I took to be Lee's Mill there seemed to be a large camp and earth-works as well as many others to the right and left. In several places there seemed to be gangs of men apparently throwing up earth-works. In addition to their barracks, many tents were visible, and, in fact, signs of evacuation were not visible. I reported the result of my observation to General McClellan on the same evening, and also to you at Brigadier-General Smith's headquarters at about 4 p. m. the 3d instant. On the following morning I ascended at a point

* But see Series I, Vol. XI, Part I, p. 456.

near Yorktown and discovered that the enemy had left, and at 6 o'clock a portion of them were visible about two miles from Yorktown on the road to Williamsburg.

Very respectfully, your obedient servant,

T. S. C. LOWE,
Chief Aeronaut.

It was known by all who had an opportunity of knowing that the enemy continued their works and kept up appearances until the night of the evacuation, and even kept their batteries firing until after midnight. Their barracks and tents, many of them new, were all left standing. Medical stores and ammunition (some destroyed and thrown into the river) were left, which it would seem would not have been the case if the evacuation had been long premeditated.

It is true army wagons were daily seen plying between Yorktown and Williamsburg, and so reported, but it was impossible to say which way they were loaded.

On the afternoon of the 4th I received orders to move everything pertaining to my department by water, with General Franklin's command. Judging from my orders, it would seem that the battle of Williamsburg was not expected.

The balloons were accordingly taken to West Point, and one was inflated on the balloon boat and used by General Franklin during his stay at that place, where reports were made to him of the position and movements of the enemy. After this we moved by water to White House Landing, the balloon boat being the first to land, and was even some distance ahead of the gun-boats, while the first night the balloon guard was the advance picket on the river bottom.

On the 18th of May I received orders to accompany General Stoneman, who was then some distance in the advance. We arrived near the Chickahominy on the morning of the 20th, and on the following morning, accompanied by General Stoneman, I ascended, and there had a distant view of Richmond, the general being the first to point out the city as we were rising. After ascertaining the location of the enemy, General Stoneman advanced his forces to Gaines' Hill, and there rested until the main portion of the enemy, which was still some distance in the rear, came up, while in the meantime the balloon was kept in constant use, and all the movements of the enemy were reported.

On the 25th of May the balloon proved of great advantage, and I copy the following memorandum from my notebook respecting the observations made:

GAINES' HILL, *May 25, 1862.*

This has been a fine and important day. General Stoneman ascended with me to an elevation of a thousand feet; had a splendid view of the enemy's country; discovered a force of the enemy near New Bridge, concealed to watch our movements. The general then took two batteries and placed them to the right and left of Doctor Gaines' house, and caused the enemy to retreat for at least a mile and a half, while he remained in the balloon with me, directing the commanders of the batteries where to fire, as they could not see the objects fired at. The general then went to Mechanicsville and drove the enemy from that position, while I remained up in the balloon to keep up appearances and to see if a larger force opposed him.

After descending, General Stoneman was heard to say, in the presence of several gentlemen, that he had seen enough to be worth millions of dollars to the Government.

It is certain that he is too keen an observer and too able an officer to be insensible of the advantages of so superior and accurate means of observation as that afforded by the balloon.

One of the principal objects of General Stoneman in driving the rebels from the banks of the Chickahominy was to enable him to move to Mechanicsville

unnoticed, whereby he might surprise the enemy at that point, which he effectually accomplished by the aid of the balloon. He often availed himself of it by ascending personally, instead of trusting to some inferior officer who had no interest or reputation at stake. I had always noticed, moreover, that the general invariably pitched his tent where he could see the enemy himself.

On the occasion above alluded to the enemy were so concealed behind woods and hills that it was impossible to ascertain their positions in any other way than by ascending to a great elevation, and the artillery might have been fired a whole day without doing any injury, unless the proper range had been obtained.

A Richmond paper of May 26 contained the following item:

The enemy are fast making their appearance on the banks of the Chickahominy. Yesterday they had a balloon in the air the whole day, it being witnessed by many of our citizens from the streets and house tops. They evidently discovered something of importance to them, for at about 4 p. m. a brisk cannonading was heard at Mechanicsville and the Yankees now occupy that place.

On several other occasions the Richmond papers correctly described the various ornaments painted on the balloons, as seen with telescopes from the city.

On the 26th and 27th I received the following orders:

HEADQUARTERS ARMY OF THE POTOMAC,
INSPECTOR-GENERAL'S DEPARTMENT,
May 26, 1862.

Professor LOWE:

SIR: I am instructed by Brigadier-General Marcy, chief of staff, to direct you to move your balloon, &c., with as little delay as possible, to Brigadier-General Stoneman's headquarters, at Mechanicsville.

You are directed after each ascent to make a written report to the headquarters of the result of your observations.

I am, sir, very respectfully, your obedient servant,

D. B. SACKET,
Inspector-General, U. S. Army.

HDQRS. TOPOGRAPHICAL ENGINEERS, ARMY OF THE POTOMAC,
May 26, 1862.

Prof. T. S. C. LOWE,
Chief Aeronaut, Army of the Potomac:

SIR: The balloon department has been placed under my direction by Special Orders, No. 157, May 25. Understanding that there are several balloons in your charge, you will immediately establish them in the following positions, viz, near Mechanicsville, General Stoneman commanding; near the Seven Pines, on the road from Bottom's Bridge to Richmond, about six miles from the bridge, General Keyes commanding, and in the vicinity of New Bridge, near the general headquarters.

Very respectfully, your obedient servant,

A. A. HUMPHREYS,
Brig. Gen. and Chief Topographical Engineers.

HDQRS. TOPOGRAPHICAL ENGINEERS, ARMY OF THE POTOMAC,
May 27, 1862.

Prof. T. S. C. LOWE,
Chief Aeronaut, Army of the Potomac:

DEAR SIR: The general commanding desires, first, that balloon ascensions be made as frequently as is practicable at each balloon station and that full reports of the results of the observations be transmitted at once to these headquarters; second, that no persons be permitted to ascend in the balloon with the exception of the general in command at the position which the balloon occupies, and those authorized by him; third, that newspaper correspondents and reporters be in no case permitted to ascend.

Very respectfully, your obedient servant,

A. A. HUMPHREYS,
Brig. Gen., Chief of Topographical Engineers, Army of the Potomac.

It will be seen from the following dispatches that the enemy improved every opportunity to fire at the balloon. On this occasion

I ascended to a high altitude, and before I descended I had the balloon moved considerably to one side, so that the subsequent firing was out of range, and thus, by changing my location, prevented the enemy from having a good mark to fire at.

MAY 27, 1862.

Gen. A. A. HUMPHREYS:

Ascended at 4.45 p. m. one mile from Mechanicsville and, I should judge, four miles from Richmond, in an air line. At 5 o'clock three batteries opened upon me, firing many shots, some falling short and some passing beyond the balloon and one over it, while it was at an elevation of 300 to 400 feet. A battle is going on about four miles distant; heavy cannonading and musketry. I will go up again and report.

T. S. C. LOWE.

MAY 27, 1862.

Brigadier-General HUMPHREYS,
Chief of Topographical Engineers:

GENERAL: I made my second ascent at 5.30 p. m., and remained up until 6.45 p. m. Richmond and vicinity are much more distinct from this point, and I was able to discover with ease the exact position of the enemy. The heaviest camps seem to be near the banks this side of James River and a little to the left of Richmond. The next heaviest are to the right of Richmond on the road from Mechanicsville. There are also several smaller on the first heights opposite Mechanicsville, and several batteries stationed there, some of which I saw put in position while in the balloon, besides those that fired at me.

The heights opposite New Bridge for two miles each way seem to be entirely unoccupied, except by the enemy's pickets.

No earth-works of any description are visible, although the country is tolerably clear from woods on the Mechanicsville road, and if there are earth-works on this side they are very near the city and behind the last line of woods.

In the northwest from where the balloon is, and about ten miles distant, there was heavy smoke.

To the north, near the Pamunkey River, was the heavy cannonading and musketry, but the distance and heavy woods prevented me from seeing the detail movements. The enemy in and around Richmond are apparently very strong in numbers.

Very respectfully, your obedient servant,

T. S. C. LOWE,
Chief Aeronaut.

BALLOON CAMP,
Near Mechanicsville, May 29, 1862—9.30 a. m.

Brig. Gen. A. A. HUMPHREYS,
Chief of Topographical Engineers, Army of the Potomac:

GENERAL: I ascended at 7.30 o'clock this a. m., near New Bridge; could discover no change in the position of the enemy in that vicinity. I then came to this point to get another view, which I have just obtained, and find the enemy quite opposite Mechanicsville.

A battery consisting of several guns is in position near the road on the opposite heights. There are troops lying in the shade of the woods along the whole line from below New Bridge to some distance above this point, the greatest number, however, opposite this point.

I have now on hand material sufficient to keep the two balloons in operation for about one week only.

Very respectfully, your obedient servant,

T. S. C. LOWE,
Chief Aeronaut, Army of the Potomac.

From 11 o'clock until dark on the 29th of May the enemy commenced to concentrate their forces in front of Fair Oaks, moving on roads entirely out of sight of our pickets, and concealing themselves as much as possible in and behind woods, where none of their move-

ments could be seen, except from the balloon. The following is one of my reports on that day:

BALLOON CAMP,
Near New Bridge, May 29, 1862.

Brig. Gen. A. A. HUMPHREYS,
Chief of Topographical Engineers:

GENERAL: My last ascent was made at sundown, which discloses the fact that the enemy have this afternoon established another camp in front of this point in the edge of the woods to the left of the New Bridge road and on a line with the permanent camp about one mile and a half to two miles from the opposite heights. They seem to be strengthening on our left, opposite this place.

Very respectfully, your obedient servant,

T. S. C. LOWE.

P. S.—My last dispatch dated 1.30 o'clock ought to have been 3. My watch had stopped.

LOWE.

On that night or the following morning General McClellan ordered the reserves to be moved up to support General Heintzelman in case of an attack, which took place just as this was accomplished. Had not our forces been concentrated it is very evident that our left, or that portion of our army beyond the Chickahominy, would have been driven back, and in consequence the whole army routed.

I think that I have reason to presume that the cause of this favorable movement of our troops was mainly due to my report that the enemy were moving down and strengthening in front of Fair Oaks.

On the 31st of May, at noon, I ascended at Mechanicsville, and discovered bodies of the enemy and trains of wagons moving from Richmond toward Fair Oaks. I remained in the air watching their movements until nearly 2 o'clock, when I saw the enemy form in line of battle, and cannonading immediately commenced. Not having any telegraphic communication here, I dispatched one of my assistants with a verbal message, and, to make the matter doubly sure, I sent the following written dispatch after reaching Doctor Gaines' house forty-five minutes later, and still another at 4.30 p. m.:

DOCTOR GAINES' HOUSE, *May 31, 1862.*

General MCCLELLAN:

I descended at 2 o'clock from near Mechanicsville. The position of the engagement is about four or five miles from New Bridge in a southerly direction. Could see troops moving toward the firing from our left of Richmond, and a long wagon train also moving in that direction.

The enemy on our right seem to remain quiet. Quite a large reserve are in the edge of the woods about one mile and a half from the heights on the road from New Bridge. I will ascend from this point as soon as the wind lulls.

Your very obedient servant,

T. S. C. LOWE.

MAY 31, 1862—4.30 p. m.

Brigadier-General MARCY,
Chief of Staff:

There are large bodies of troops in the open field beyond the opposite heights on the New Bridge road. White-covered wagons are rapidly moving toward the point of the engagement with artillery in the advance. The firing on our left has ceased.

T. S. C. LOWE,
Chief Aeronaut.

On receipt of the above information General McClellan sent express orders to General Sumner to have the bridge across the Chickahominy completed as soon as possible, and to cross with his corps at the

earliest possible moment and support General Heintzelman. This was accomplished just in time, for it is asserted upon good authority that if General Sumner had been one or two hours later the day would have been lost.

Is it not probable, to say the least, that my reports from the balloons caused the completion of this bridge two hours sooner than it would otherwise have been done? In reference to this point I would refer to the Prince de Joinville's narrative of the Peninsular Campaign, where in speaking of the battle of Fair Oaks he says that "there was some doubt whether the enemy were making a real attack, or whether it was merely a feint; *but this doubt was soon removed by reports from the aeronauts, who could see heavy columns of the enemy moving in that direction.*" *a*

On the following morning I ascended at 4 a. m., but owing to fog I was unable to see anything until after 6 o'clock, and at 7 o'clock I sent the following dispatch by telegraph from the balloon.

Many dispatches were sent in this way, copies of which were not preserved:

NEAR DOCTOR GAINES' HOUSE,
June 1, 1862—7 a. m.

Brigadier-General HUMPHREYS, or
General MARCY,
Chief of Staff:

I have just obtained a splendid observation from the balloon. I find the enemy in large force on the New Bridge road, about three miles this side of Richmond. In fact, all of the roads that are visible are filled with infantry and cavalry moving toward Fair Oaks Station. There is also a large force opposite here, and in the same position that they were yesterday, but not in motion. I can see smoke in the woods where the firing ceased last night. I hear no firing at the present. In the immediate vicinity of the heights opposite here there are nothing but pickets visible.

T. S. C. LOWE,
Chief Aeronaut.

I am satisfied from what I heard on the previous evening that an attack by the enemy on the next morning was not expected. The above dispatch, therefore, giving timely notice that the enemy did really intend making a more severe attack than even that of the previous day, must certainly have been of the greatest importance, and gave our forces an opportunity of preparing for a vigorous defense.

I would here remark that of all the battles I have witnessed, that of Fair Oaks was the most closely contested and most severe, and the victory, in my opinion, was due to the valor and skill of General Heintzelman, who nobly sustained himself against great odds in favor of the enemy.

To the following reports I would call especial attention, as they speak for themselves.

The following order from General Humphreys was received one hour after my first report:

JUNE 1, 1862—6.45 a. m.

Professor LOWE:

Have you been able to ascend this morning? Your balloon should be in connection by telegraph, and messages should be sent constantly—at least every fifteen minutes. The balloon must be up all day. The balloon at Mechanicsville should likewise be sent up at once, and remain up all day.

Same reports must be made from it as from the balloon at Doctor Gaines'.

A. A. HUMPHREYS,
Brigadier-General.

a NOTE.—These words are quoted from memory.

BALLOON CAMP,
Doctor Gaines' House, June 1, 1862.

Brigadier-General HUMPHREYS, or
General MARCY,
Chief of Staff:

The reserve of the enemy are considerably strengthened on the New Bridge road, and troops are still moving that way from Richmond; they do not seem to be gathering in any great numbers on the immediate heights along the Chickahominy. Our supports, with army wagons, are in a southeast direction from here, advancing, and about three miles from the fire of yesterday. Musketry is in constant operation in the same direction as yesterday. The banks of the Chickahominy are overflowed as far as can be seen.

Respectfully, your obedient servant,

T. S. C. LOWE,
Chief Aeronaut.

BALLOON CAMP,
Near Doctor Gaines' House, June 1, 1862—11 a. m.

Brigadier-General HUMPHREYS, or
General R. B. MARCY,
Chief of Staff:

My ascent and observations just completed show the firing of the enemy to be in the same position. The road in the rear of the firing is filled with wagons and troops. About two miles still farther to the rear of Fair Oaks Station, and on the Williamsburg stage road, Charles City road, and Central road, are also large bodies of troops; in fact, I am astonished at their numbers compared with ours, although they are more concentrated than we are. Their whole force seem to be paying attention to their right. A regiment has just marched to the front, where we are preparing a crossing. Their large barracks to the left of Richmond is entirely free from smoke, and, in fact, the whole city and surroundings are nearly free from smoke, which enables me to see with distinctness the enemy's earth-works. Quite a large body of troops are on the other side of the river, about two miles from here, to our left.

The weather is now calm, and an excellent opportunity is offered for an engineer officer to accompany me.

The balloon at Mechanicsville is constantly up.

Your very obedient servant,

T. S. C. LOWE.

JUNE 1, 1862.

Professor LOWE:

Direct your attention to a force said to be approaching toward our left, apparently to attack the working parties at the bridge below New Bridge. It is said a gun is planted to strike the bridge. Send me intelligence by bearer and at once communicate to me or General ———, when present, what is passing.

J. H. MARTINDALE,
Brigadier-General, in Charge of Porter's Division.

JUNE 1, 1862—12.15 p. m.

General MARTINDALE:

About one hour ago a full regiment moved up into the woods toward where our left crossing is being made. I have seen no artillery moved up, nor can I see any from here. I think, however, there is artillery in the woods.

Very respectfully,

T. S. C. LOWE,
Chief Aeronaut.

HEADQUARTERS OF GENERAL MCCLELLAN,
June 1, 1862.

Professor LOWE:

The enemy has been repulsed wherever he attacked. Watch the motions of the enemy and his wagons and see where goes the force before Mechanicsville.

R. B. MARCY.

Professor LOWE:

Can you see General Sumner's corps near the line of railroad about four miles from the Chickahominy? Was the train of our wagons you saw going toward Richmond or toward James River? Can you see the gun-boats on James River? Which direction does the smoke run?

R. B. MARCY,
Chief of Staff.

JUNE 1, 1862.

At 11 o'clock could see what I understood was General Sumner's corps near the line of railroad, but not more than two miles from the Chickahominy. The wagons I saw were moving toward James River. They had not reached the road to Richmond.

I cannot see the gun-boats, but can see heavy smoke arising from the valley at two points, and hear heavy reports from cannon. The enemy's reserves seem to be stationed at present in all the roads.

T. S. C. LOWE,
Chief Aeronaut.

The following were answers to questions asked by General Porter:

JUNE 1, 1862—8 p. m.

Brig. Gen. F. J. PORTER:

The enemy remains quiet opposite New Bridge. There are infantry and a battery of artillery near the river, where our left column is preparing to cross. The wind is now too high to get a view opposite Mechanicsville, and I am not in immediate communication with the balloon there. By the appearance of the smoke when up I would say that we hold our ground, and more too. The Chickahominy is fast rising; in front of this point the whole fields resemble a lake.

The enemy's wagons also seem to be stationary opposite here.

Very respectfully,

T. S. C. LOWE,
Chief Aeronaut.

BALLOON IN AIR, *June 1, 1862—6.30 p. m.*

R. B. MARCY,
Chief of Staff:

Last firing is two miles nearer Richmond than this morning. Camp-fires around Richmond as usual, showing that the enemy are back. General Humphreys and staff are now up, and will endeavor to ascertain fully and answer all your questions.

T. S. C. LOWE,
Chief Aeronaut.

JUNE 1, 1862—7 p. m.

Brigadier-General MARCY,
Chief of Staff:

General Humphreys and self have just descended. The enemy is still in the field opposite here, and their works are visible all along the Williamsburg and New Bridge roads to Richmond. Their barracks, which were this morning deserted, are now occupied. I can see no wagons moving in any direction. Brigadier-General Humphreys will give you a full account of the last observation. I will ascend again at daybreak to-morrow.

Your very obedient servant,

T. S. C. LOWE,
Chief Aeronaut.

BALLOON CAMP, NEAR MECHANICSVILLE,
Sunday Morning, June 1, 1862—8.20 a. m.

Large force in front of New Bridge. Do not think there is a very large force in front of Mechanicsville. The rebels have struck their tents in front of the above-named place (Mechanicsville).

10.45 a. m.—The rebels are moving a brigade out of Richmond in the direction of New Bridge.

11.10 a. m.—The brigade that I saw moving out of Richmond at 10.45 a. m. seems to be a very large one. They are followed by a train, consisting of twenty-four wagons, and have just entered the woods, which carries them out of my sight. Think they are going in the direction of New Bridge.

The troops that were in front of New Bridge have fallen back under cover of the woods.

(The above are copies of Major Webb's dispatches to General Marcy, as far as I can remember.) Major Webb was up in the balloon from 8 a. m. till 11.20 a. m.

JAMES ALLEN,
Assistant Aeronaut.

JUNE 2, 1862—5.25 a. m.

Brigadier-General HUMPHREYS, or
General MARCY,
Chief of Staff:

I ascended at 4.45 this a. m. Found the enemy in full force opposite this point, with their horses harnessed to their artillery. I observed their movements for half an hour; saw mounted pickets to the extreme left of the large field opposite the point where we are preparing a crossing. To the right, opposite Mechanicsville, the enemy have two large camps, and all along their line there are appearances of lively movements.

In fifteen minutes from the time of my ascent a battery of six guns left the farther side of the field, on the New Bridge road, and came to the heights opposite here and covered themselves in the woods, just one mile and three-quarters from this point. I am confident from the present movements that they intend to intercept our crossing the river. The weather at present is calm, and a good opportunity for some officer to ascend in the Mechanicsville balloon before the storm, which I think is near at hand. I would suggest Major Webb, as he is accustomed to the balloon.

Your very obedient servant,

T. S. C. LOWE,
Chief Aeronaut.

JUNE 2, 1862—10.15 a. m.

Brigadier-General HUMPHREYS, or
General MARCY,
Chief of Staff:

The enemy remain quiet and in the same position as reported at 8.15. Large numbers are at work throwing up earth, as before, opposite General Smith's headquarters.

Lieutenant-Colonel Palmer could not stand an ascension, owing to vertigo.

T. S. C. LOWE,
Chief Aeronaut.

MCCLELLAN'S HEADQUARTERS, *June 3, 1862.*

Professor LOWE:

It is reported that the enemy in force is advancing on our troops to the left, in front of Sumner and Heintzelman. Please make an ascension as soon as practicable and inform me what you discover in that direction, and make frequent ascensions afterward.

R. B. MARCY,
Chief of Staff.

DOCTOR GAINES' HOUSE, *June 3—2.45 p. m.*

Brigadier-General MARCY,
Chief of Staff:

Just as I received your dispatch General Barnard arrived and remained up about twenty minutes. I have just descended myself. I could see no additional troops at the point you inquire about. There have been troops for the past three or four days on the New Bridge road about one mile beyond Doctor Garnett's house, or red brick house opposite here, and daily moving about in regiments forward and back as a picket force. I can discover no new movements of the enemy to-day.

T. S. C. LOWE,
Chief Aeronaut, Army of the Potomac.

General Barnard made very frequent ascensions during the whole time our army lay before Richmond, and from observations thus taken he was better enabled to locate earth-works, &c., of which many were constructed.

The following are dispatches without dates, which I take the liberty of adding, as they were accidentally omitted from the copies I retained.

Before the battle of Fair Oaks:

Brig. Gen. A. A. HUMPHREYS,
Chief of Topographical Engineers:

GENERAL: I ascended at sunrise this morning. The enemy's line of pickets in front of this point (Doctor Gaines' house) remains, as usual, from one-half to

three-quarters of a mile from the Chickahominy, about one mile and a half from the heights opposite this point, and on the road from New Bridge still remains the camp noticed in my first ascent, some days since, apparently without any increase. Directly south of this point, about five miles, is a tolerable-sized camp smoke, and I should judge about three miles and a half in advance of the main camp of General Keyes.

The city of Richmond was entirely enveloped in smoke. The balloon at Mechanicsville was also up at the same time with me. I will make an ascent from Mechanicsville as soon as the atmosphere clears.

Very respectfully, your obedient servant,

T. S. C. LOWE,
Chief Aeronaut.

The three following reports were made after the battle of Fair Oaks:

Brig. Gen. A. A. HUMPHREYS:

GENERAL: I have just completed another observation from the balloon. About three-quarters of a mile from the heights opposite here, and about two miles and a half from this point, are about six regiments of infantry. Trees have been felled beyond them, so that I can now see another small field beyond where trees were standing this morning. There is heavy smoke now rising, as though underbrush were burning. I will watch their operations and report.

T. S. C. LOWE.

7.15 A. M.

Brigadier-General HUMPHREYS, or
General R. B. MARCY,
Chief of Staff:

The enemy remain the same opposite this point. I can see through a small open space in the woods, on what I think is the Williamsburg road, troops moving toward the late scene of action, but not in great numbers, however.

Very respectfully, your obedient servant,

T. S. C. LOWE.

8.15 A. M.

Brigadier-General HUMPHREYS, or
General R. B. MARCY,
Chief of Staff:

The atmosphere is now quite clear. The troops still remain quiet opposite here. On the heights opposite General Smith's headquarters and on the left-hand side of the New Bridge road, going to Richmond, the enemy are throwing up earth. Many army wagons are remaining stationary in that direction and horses grazing.

Respectfully,

T. S. C. LOWE,
Chief Aeronaut.

CAMP NEAR DOCTOR GAINES' HOUSE,
June 5, 1862—5 a. m.

Brigadier-General HUMPHREYS:

I ascended this morning at an altitude of 900 feet just before 5 o'clock, but found the atmosphere so thick with mingled smoke and fog that only a few places were visible. The enemy opposite this point remain the same as yesterday, and along the heights for two miles up nothing is moving on the roads.

T. S. C. LOWE,
Chief Aeronaut, Army of the Potomac.

HEADQUARTERS ARMY OF THE POTOMAC,
June 7, 1862.

Professor LOWE:

You will please allow Mr. Babcock to make ascensions in your balloon whenever it is convenient. He is making maps and desires to make observations.

R. B. MARCY,
Chief of Staff.

BALLOON CAMP,
Doctor Gaines' House, June 7, 1862.

Brigadier-General HUMPHREYS, or
General MARCY,
Chief of Staff:

I ascended at 6 o'clock and remained up in all about one hour. The enemy appears to be in larger force on our left than at any other point. Our advance and the enemy's artillery are less than one mile from each other. The artillery that I refer to is about half a mile to the left of the New Bridge road, in the field and behind the woods on the opposite heights, with horses attached; there is more in the rear, with horses picketed. Their picket-line is not so far advanced as formerly. Several squads of cavalry were visible along the opposite heights. There are large camp smokes opposite Mechanicsville and beyond, but the dense haze prevents me at this time from observing details.

The Intrepid will lift three persons and ropes, and there will be an excellent opportunity for engineers to ascend. I will go up early in the morning again.

Your very obedient servant,

T. S. C. LOWE,
Chief Aeronaut.

BALLOON CAMP,
Doctor Gaines' House, June 9, 1862.

Brigadier-General HUMPHREYS, or
General MARCY,
Chief of Staff:

I ascended at sundown this p. m. and find the enemy's camps located about the same as they have been for the past four or five days.

Two sections of a battery, of three guns each, are stationed in the field (with horses attached) about three-quarters of a mile southeast from Doctor Garnett's house. Two other batteries are stationed near Old Tavern. Very heavy camps are still beyond and to the right toward Richmond. There are also three distinct camps extending from Widow Price's to Doctor Friend's, on a road this side of the New Bridge road.

Pickets are visible near General Smith's advance, but no fires are built. The enemy's smokes immediately in front of the late battle-grounds are very light. Owing to the lateness of the hour before I could ascend, in consequence of the heavy winds, I was unable to finish my observation to the right, but will ascend as often as possible.

Your very obedient servant,

T. S. C. LOWE,
Chief Aeronaut, Army of the Potomac.

BALLOON CAMP,
Doctor Gaines' House, June 10, 1862—4.30 p. m.

Brigadier-General HUMPHREYS,
Chief of Topographical Engineers:

GENERAL: I ascended at 3.45 this p. m., but have nothing new to report. The enemy remain about as usual. It would be a good time for some one to ascend at Mechanicsville, but I am not able to ride there myself, and Mr. Allen is quite ill.

The atmosphere is quite clear, but the earth is heavily shaded by clouds.

Your very obedient servant,

T. S. C. LOWE,
Chief Aeronaut.

HEADQUARTERS FIFTH ARMY CORPS,
June 11, 1862.

Professor LOWE:

SIR: The commanding general desires you to make an ascension this evening, if but for a few moments, to try if you can see anything of a large body of the enemy, said to be in the vicinity of Old Tavern, near Mrs. Price's house.

Very respectfully, your obedient servant,

F. T. LOCKE,
Assistant Adjutant-General.

BALLOON CAMP,
Near Doctor Gaines' House, June 12, 1862.

Brigadier-General HUMPHREYS, or
General MARCY,
Chief of Staff:

I ascended at about sundown this p. m. The atmosphere very hazy beyond a distance of three miles. Could see no movements of the enemy. Their camps and camp-fires remain the same as usual.

Your obedient servant,

T. S. C. LOWE,
Chief Aeronaut.

GENERAL MCCLELLAN'S HEADQUARTERS,
June 13, 1862.

General F. J. PORTER:

Order Lowe to make frequent ascensions and report everything.

R. B. MARCY,
Chief of Staff.

The general wants you to look both ways—up and down the river and toward Mechanicsville. I send you two orderlies. Keep them till dark.

Yours,

F. T. LOCKE,
Assistant Adjutant-General.

BALLOON CAMP,
Near Doctor Gaines' House, June 13, 1862—6.15 a. m.

Brigadier-General HUMPHREYS, or
General MARCY,
Chief of Staff:

I ascended at 5.15 this a. m. and remained up one hour. The cannonading during the time I was up was from James Garnett's house (according to Allen's map), and directed to one of our camps to the left of General Smith's. Owing to the dense fog and smoke a view of all the roads could not be obtained, but on those that were visible I could see no movements whatever. I will ascend again as soon as the fog clears a little.

Respectfully,

T. S. C. LOWE.

NEAR DOCTOR GAINES' HOUSE,
June 13, 1862—8 a. m.

Brig. Gen. A. A. HUMPHREYS, or
General MARCY,
Chief of Staff:

I have just completed another observation from the balloon. The enemy's artillery remains at the same point (James Garnett's), and, with the exception of two or three squadrons of cavalry and the usual picket, there are no other troops in position or on the visible roads. During the time of my observation the most of the enemy's shots fell short. There was no response from our side during the time.

Respectfully,

T. S. C. LOWE,
Chief Aeronaut, Army of the Potomac.

HEADQUARTERS FIFTH ARMY CORPS,
June 13, 1862.

Professor LOWE,
Balloon Corps:

Large bodies of the enemy are reported to be moving with baggage wagons and ambulances toward our left. The commanding general desires you will make ascensions as often as practicable, observe their movements, and send up the information to him A dispatch sent to General Morell will be forwarded by him to these headquarters.

Very respectfully, your obedient servant,

FRED. T. LOCKE,
Assistant Adjutant-General.

Every few days after the battle of Fair Oaks alarming reports were circulated that the enemy in large force was moving to different points to make an attack, as will be seen by the above and previous orders, although many more were sent verbally. The balloon was always called into requisition to ascertain the truth of these reports, and in almost every instance our troops, who would otherwise have been compelled to lie upon their arms for hours and perhaps days, in addition to other exposure consequent upon building earth-works, roads, bridges, &c., were allowed to return to their quarters on receiving a report from the balloon that the enemy was quiet. It often seemed to me that these false reports were circulated expressly to annoy and weary our forces, and so reliable did they sometimes appear that on several occasions I was required to take up a staff officer and point out to him the location of the enemy before our generals could be satisfied.

JUNE 13, 1862—8.15 p. m.

Brigadier-General MARCY,
Chief of Staff:

My assistant at Mechanicsville reports that he has taken several observations this afternoon, and from appearances of smoke and troops he is of the opinion that the force opposite Mechanicsville is considerably strengthened.

I ascended from this point since my last dispatch and remained up until dark, but have nothing new to report.

Respectfully,

T. S. C. LOWE.

The following reports of June 14 were of the greatest importance, and gave the commanding general timely notice of the intentions of the enemy and enabled him to use his facilities to the best advantage. Knowing that the enemy could, after a few days' work, fortify themselves sufficiently to hold our forces in check with a portion of their army, until the remainder would be at liberty to operate in another direction, General McClellan could make his final attack then before the enemy were any stronger, or he could fortify himself, or prepare for a retreat, or change of base, just as his facilities would permit. At all events, about two weeks later it proved that the enemy was so fortified that they held their position with but a small portion of their force, while the main body of their army was thrown against our right, which they overpowered and compelled the retreat to James River.

BALLOON CAMP,
Near Gaines' House, June 14, 1862—9.30 a. m.

Brigadier General MARCY,
Chief of Staff:

GENERAL: I ascended at 8 and remained nearly one hour at an elevation of 1,000 feet. It was perfectly calm and many fields and camps were visible that I have not been able to see for a number of days past. In almost every field and on all available hills the enemy have large working parties throwing up earth-works and digging rifle-pits.

The camps and tents about Richmond seem to be much increased since my last good view beyond the woods. I can now count ten distinct earth-works around Richmond and can see embrasures in most of them, but cannot distinguish whether they have guns mounted in them or not. I am now marking upon the map the positions as near as possible of the earth-works now building, and will send it in to-day.

Your very obedient servant,

T. S. C. LOWE,
Chief Aeronant.

BALLOON CAMP, *June 14, 1862.*

Brigadier-General MARCY,
Chief of Staff, Army of the Potomac:

GENERAL: Accompanying this note is a map with some of the most important earth-works represented, and in the right place, as near as I can get them according to the map. There are other places where earth has been thrown up, but I shall have to ascend again to a high altitude in order to locate them. The work that commences at Widow Price's house runs to the woods a little to the right of Old Tavern, and on the farther end I should judge that 500 or more persons were at work this morning. There is also a small work to the right of the house, running into the woods.

The numbers upon the map are for the purpose of explaining the various points better when telegraphing from the balloon. Please preserve it for that purpose.

I am greatly in need of a good field glass for the Mechanicsville balloon. If one can be obtained will you please send it by the orderly, and greatly oblige,

Your very obedient servant,

T. S. C. LOWE,
Chief Aeronaut, Army of the Potomac.

BALLOON CAMP,
Near Doctor Gaines' House, June 14, 1862—6.15 a. m.

Brigadier-General MARCY,
Chief of Staff:

GENERAL: I remained in the air from 5 to 6 o'clock this morning. There appears to be no movements of the enemy upon any of the roads at this time. Many camp-fires were built during the time I was up, showing the enemy in the same position as yesterday. The artillery that was at James Garnett's house yesterday is not in sight this morning.

Your obedient servant,

T. S. C. LOWE.

BALLOON CAMP,
Near Doctor Gaines' House, June 16, 1862.

Brig. Gen. R. B. MARCY,
Chief of Staff, Army of the Potomac:

GENERAL: The first ascension that I was able to make to-day was at 3.30 p. m. The enemy are still hard at work on their intrenchments all along their line.

The work in front of Widow Price's extends farther along to the right than I at first supposed, as I can see by breaks in the woods when at a high altitude. It also runs some distance to the left and masked by bushes.

After remaining up nearly one hour Colonel Alexander ascended. I then went to Mechanicsville and had a fine view from that point. The enemy there appeared to be more in force immediately opposite Meadow Bridge than between Mechanicsville and Richmond.

There are two works in sight from the upper balloon—one near Caxton's, or No. 16, and another at 21, as marked on the map that I sent you. Much the largest force, however, and the most work going on, is in front of our left.

While up at Mechanicsville I saw what appeared to be two regiments moving on the New Bridge road—from figure 7 toward Thorn's, with thirteen covered wagons in the rear. I then came to this point and saw them come in near Old Tavern. There are several pieces of artillery visible near James Garnett's house.

I will have a balloon in operation as soon as possible near headquarters.

Your very obedient servant,

T. S. C. LOWE,
Chief Aeronaut, Army of the Potomac.

BALLOON CAMP,
Near Doctor Gaines' House, June 17, 1862.

Brig. Gen. R. B. MARCY:

GENERAL: I took an observation this morning at 7 o'clock. Found the enemy still busy at work on their trenches. The work in front of Mrs. Price's seems to have been enlarged during the night. No other movements of the enemy are visible at this time.

Respectfully, your obedient servant,

T. S. C. LOWE,
Chief Aeronaut, Army of the Potomac.

BALLOON CAMP,
Near Doctor Gaines', June 19, 1862—5.30 a. m.

Brigadier-General MARCY,
Chief of Staff:

GENERAL: I ascended at 4.30 o'clock this a. m. and remained up until after 5 o'clock, when the enemy's smokes became so numerous on our left that small objects, earth-works, &c., could no longer be defined. The enemy still have artillery near James Garnett's house, and their pickets on the side of the field toward Fair Oaks extend along the edge of the field near the woods.

The enemy appears not to be half so numerous on our right, and at this hour there are no movements of troops or wagons (save a few scattering ones) upon any of the visible roads.

T. S. C. LOWE.

P. S.—Preparations are going on to inflate a balloon near headquarters, which I hope to have ready to-day.

LOWE.

The principal observations being taken near headquarters, verbal reports were generally made, and I have no copies of any from the 19th to the 27th of June.

On the 26th I reported verbally to General Humphreys that the enemy had crossed the Chickahominy in large force, and was engaging our right wing at Mechanicsville. At daybreak next morning I received the following order:

FRIDAY, *June 27, 1862.*

Professor LOWE:

DEAR SIR: Ascensions must be made throughout the day, if practicable, at short intervals and reports made of what is seen.

A. A. HUMPHREYS.

JUNE 27, 1862—8.15 a. m.

The heaviest cannonading at this time is near where the last headquarters were, between Doctor Gaines' house and Mechanicsville. We have large reserves across the river; our forces are in line of battle. On our left the enemy appear to be in large force in and about their intrenchments on this side of the river in the vicinity of Doctor Friend's, and on this side very large.

The dense smoke prevents me from seeing to Richmond. I am very unwell, and think it advisable for some good person to be constantly up.

Respectfully,

T. S. C. LOWE.

JUNE 27, 1862—9.20 a. m.

Brigadier-General HUMPHREYS, or
General MARCY,
Chief of Staff:

Although I reported myself ill on this occasion I will remain constantly in the balloon, and if you will send me two orderlies I will keep headquarters constantly informed of what can be seen from the balloon. My assistants that you speak of are trying to save the property in their charge. In an exact north direction from here, and about two miles and a half from the river, in an open field, there are large bodies of troops, but I should judge they were too far down on our right to be the enemy. On a hill this side of Doctor Gaines' house there is a long line of skirmishers stationary. On the field near where General Morell was camped everything is on fire.

About four miles to the west from here the enemy have a balloon about 300 feet in the air. By appearances I should judge that the enemy might make an attack on our left at any moment. We are firing occasional shots on our left.

T. S. C. LOWE.

JUNE 27, 1862—11 a. m.

Brigadier-General HUMPHREYS, or
General MARCY,
Chief of Staff:

There is no firing on either side at this time. In a northerly direction, and about three or four miles from Woodbury's Bridge, there is a long line of dust

running toward the York River Railroad. Quite a large body of the enemy are visible in the field where General Smith was camped, near the old headquarters. The rebel balloon suddenly disappeared about one hour since.

The enemy in front of here remain silent in and around their earth-works and rifle-pits.

T. S. C. LOWE.

P. S.—Can Major Webb come over and ascend?

T. S. C. L.

Other reports were made at short intervals during the rest of the day, and at 6 o'clock I reported that the enemy on Gaines' Hill were making a desperate advance, while a large column was moving to outflank our forces on the extreme right, and evidently intended to intercept our crossing at Woodbury's Bridge. Soon after this report was made our reserves were sent to protect the crossing and to relieve those troops who had been engaged for two days.

I have no doubt that the information given in the above reports (from what I saw myself and have since learned) saved a large portion of our troops then engaged from being taken prisoners, and also caused a strong guard to be placed at Bottom's Bridge and other crossings below, which prevented the enemy from getting into our rear.

On the evening of the 28th I received orders to pack up everything pertaining to the aeronautic department and to be ready to move. Owing to the want of transportation to carry material for gas, the balloons were not put in use again until we reached Harrison's Landing. Here I was taken very ill with fever, which had been gradually coming on me for two or three weeks, and I was compelled to leave the army, placing the management of the aeronautic operations in charge of Mr. C. Lowe, who kept the balloon in use during the time the army remained at that place. On one occasion Commodore Wilkes had the balloon taken on the river, and while at an elevation of 1,000 feet was towed by a steamer, while the banks and country for miles back were examined.

The following order was received from General Humphreys relative to moving from Harrison's Landing:

AUGUST 13, 1862.

MR. LOWE:

DEAR SIR: The balloon department will, as far as possible, go by water in the Rotary. The barge or flat will be taken also. They will keep near or accompany the steamer carrying the surplus baggage to headquarters. Colonel Ingalls will inform you which that is. The details for the balloon department will march under the orders of the officer commanding them. They will take not less than six days' rations. The wagons, teams, &c., will be turned over to the quartermaster's department.

Perhaps one wagon may be retained to accompany the detachment of enlisted men.

A. A. HUMPHREYS.

All transportation, &c., now being in the hands of the quartermaster's department, it was necessary for me to have an order from the commanding general before I could reorganize the aeronautic department. On the arrival of the Army of the Potomac from the Peninsula I therefore addressed the following note to Colonel Colburn, assistant adjutant-general:

NATIONAL HOTEL,
Washington, D. C., September 5, 1862.

Col. A. V. COLBURN,
Assistant Adjutant-General:

COLONEL: Having recovered from my late illness, I came to Washington several days since hoping that I might be of service on the present occasion. I beg

of you to remind the general that I am anxiously awaiting orders, and, as ever, ready and willing to serve him. Some balloon observations at this time might be of great advantage. I have everything ready to operate at a moment's notice.

Very respectfully, your obedient servant,

T. S. C. LOWE,
Aeronaut.

I was answered by Colonel Colburn that my services would probably soon be required, but to remain in Washington until I received orders, as the general did not yet know when he would want to use the balloons.

I received no orders until the morning after the battle of Antietam, when a dispatch came from General Marcy to come to Sharpsburg with the balloons without delay. I started immediately, and on the third day from Washington I arrived with the train at Sharpsburg. The delay was occasioned by General A. A. Humphreys being ordered to take command of a division, and the aeronautic department having been left without the proper authority being vested in me to act independently, I was unable to accompany the army as formerly.

During the battle of Antietam General McClellan remarked on several occasions that the balloon would be invaluable to him, and he repeated this to me when I arrived, assuring me that better facilities should be afforded me in future. It was evident that he was extremely anxious to obtain information of movements at certain points which could be furnished only by the aeronaut, which if he had obtained might have resulted in the complete defeat and utter rout of the enemy while trying to effect his escape across the Potomac. On this occasion he greatly felt the need of reports from the balloons, which, having been on so many previous occasions furnished without even being called for, were perhaps not sufficiently valued.

On the night of my arrival the balloons were made ready, and the next morning I pointed out the enemy, who were in force near Martinsburg, Va. The balloons were kept in use at this point until the rebel army left for Winchester, and one was also employed at Bolivar Heights. The observations made here in the vicinity of mountains 1,200 feet high, were mainly of use in enabling us to change our position and approach nearer to the enemy.

When the army took up its march into Virginia it moved in roads commanded by the mountains, and as it was not thought that balloon observations along this route were needed, I was ordered to proceed to Washington, to move out on the railroad, where better facilities for transportation, &c., could be had.

On the 1st of November I received the following:

HEADQUARTERS ARMY OF THE POTOMAC,
November 1, 1862.

Professor LOWE:

Under all the circumstances General McClellan thinks it best that you should return to Washington with everything pertaining to the balloon department, and hold that department in readiness to take the field at any very short notice. Acknowledge this.

S. WILLIAMS,
Assistant Adjutant-General.

There seemed to be no further use for balloons now until the army reached Fredericksburg.

In order that the new commander of the Army of the Potomac,

General Burnside, might know that I was ready for duty, I addressed the following communication to his chief of staff:

HEADQUARTERS AERONAUTIC CORPS,
Washington, November 20, 1862.

Major-General PARKE,
Chief of Staff, &c.:

GENERAL: Considering it necessary that the commanding general should be informed in relation to my operations, and the service that I am prepared to render, I would respectfully submit the following succinct statement:

First. The U. S. aeronautic department under my direction is in excellent condition, with all the improvements just added that over a year's continual operations and experience could suggest. I have at this time six superior silk balloons with portable gas-generating apparatus, which enables me to inflate a balloon at any point in three hours sufficiently to raise two men and ropes to an elevation of 1,000 feet or more. The balloons can be used with nearly, if not quite, as good success in winter as in summer.

Second. In order to facilitate my operations and making prompt reports, I was permitted by General McClellan to add for my use a telegraph train, with five miles of insulated wire, which will enable me to make reports directly from the car of the balloon while viewing the enemy's position. The line can be otherwise useful for transmitting other messages not connected with my department.

Third. It being often necessary to inflate a balloon at night, and having many times performed the same under difficulties, owing to the want of light, I have introduced a powerful oxyhydrogen or calcium light for that purpose. Aside from the benefits of this light for the above purpose, it can be used to great advantage for many other purposes where night-work is to be performed, such as felling timber, building bridges, crossing streams, building earth-works, &c. One of these lights would be sufficient for at least 2,000 persons to work by with as much convenience as by daylight, and the rays can be entirely hidden from any point where it is not desirable to show them. With this apparatus light can be thrown two miles distant sufficiently powerful to work by. The cost is trifling.

Fourth. I also have with me a set of powerful magnifying lenses with which a photograph of three inches square can be magnified to the size of twenty feet square. Thus it will be seen that a view taken at a distance too far for the objects to be discernible with the naked eye, could be easily distinguished with the magnifier. A map photographed and thus magnified would be found much easier to consult.

Fifth. I keep with my corps a large number of small signal balloons which can be used day or night. Fires of red, white, blue, or green can be attached, which will burn more than ten times as long as a rocket, and with much greater brilliancy, and therefore can be seen with more certainty, and costs no more for them than for rockets.

Having reduced all of the above-mentioned branches to a practical everyday working, I can be called upon for any or all of them at any time without inconvenience to the main balloon operations, and with but little expense, as the same portable gas-works can be used for them all.

Not considering it necessary to give a detailed account of what may be done, but hoping soon to be called into active service again.

I remain, with great respect, your very obedient servant,

T. S. C. LOWE,
Chief of Aeronautics, &c.

On receipt of the above communication the following order was returned:

HEADQUARTERS ARMY OF THE POTOMAC,
Opposite Fredericksburg, November 24, 1862.

Professor LOWE:

The commanding general desires that you proceed to Washington and bring up the apparatus and material, so that an ascension can be made at this point as early as possible. He desires that the Quartermaster's Department furnish you such aid and assistance in Washington and en route that you may require.

Very respectfully, your obedient servant,

JNO. G. PARKE,
Chief of Staff.

The next day everything was moved down to the army, but as General Burnside had deferred his operations, he desired the balloon should not be shown to the enemy till he was ready to cross the river. On the 12th of December I received orders to get the balloon ready, and the following morning (being the day of the battle of Fredericksburg) ascensions were commenced, and during the day many staff officers ascended, and much valuable information was furnished the commanding general, whose headquarters being directly under the balloon, verbal communications only were given, and no written reports are therefore inserted. Several shots were fired at the balloon during the day, one striking about two miles beyond the balloon, passing close to it, and going in all about three miles and three-quarters from where it was fired.

Nearly all of my reports during the following month were given verbally.

The following report was forwarded on December 22, which shows the duty that the balloon was required to do while the army was lying still:

HEADQUARTERS AERONAUTIC CORPS,
December 22, 1862.

Major-General PARKE,
Chief of Staff:

GENERAL: By observations taken from the balloon to-day the enemy's position was very clearly defined. Their main camps are opposite to our left, and extend down the river from four to six miles, and three miles back. Earth-works appear to be thrown up on the next range of hills beyond the first line of woods, but nothing definite could be ascertained concerning them owing to the heavy smokes.

By moving a balloon farther down the river more information can be obtained. They do not appear to have withdrawn any of their forces.

Very respectfully,

T. S. C. LOWE.

CAMP NEAR HEADQUARTERS ARMY OF THE POTOMAC,
January 13, 1863.

Major-General PARKE,
Chief of Staff, &c.:

GENERAL: Please find inclosed a copy of a lithograph representing the balloon signals. Should these signals meet with the further approval of the general commanding I would respectfully ask that I may be notified as early as possible that I may have prepared a sufficient number to operate successfully. I would recommend about thirty of each denomination.

Very respectfully, your obedient servant,

T. S. C. LOWE,
Chief of Aeronautics, &c.

The signals above alluded to are not intended to take the place of anything now in use, but are simply an addition to be used in case of emergency, where it was necessary to communicate a long distance. Further mention of this will be made hereafter.

The following orders and reports up to March 21 will be sufficient to show the principal duties performed by the aeronautic department:

HEADQUARTERS AERONAUTIC DEPARTMENT,
February 4, 1863.

General BUTTERFIELD,
Chief of Staff:

SIR: From an observation taken this afternoon the enemy appear still in camp about three miles west of Fredericksburg; also a large camp south by west, about eight miles. The largest camp noticed appears to be south from the city about fifteen miles; also a smaller camp east by south.

The balloons are constantly in readiness, and observations can be taken at any time when the weather will permit.

Very respectfully, your obedient servant,

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

HEADQUARTERS AERONAUTIC DEPARTMENT,
Camp near Falmouth, February 7, 1863.

General BUTTERFIELD,
Chief of Staff, Army of the Potomac:

SIR: According to your order I have taken advantage of all suitable weather for several days past to reconnoiter the enemy's position from the balloon. Yesterday in the afternoon the atmosphere was very clear, and from observations taken then and again to-day the various positions of the enemy could be determined by their camps and smokes. The line of hills opposite Fredericksburg and above and below the city appear to be occupied by a small force, divided into small squads, while the heaviest camp appears to be at or near Bowling Green.

Still farther beyond, say twenty-five miles from Fredericksburg, are heavy camp smokes, which I should judge was at the junction of the Virginia Central and Richmond and Fredericksburg Railroads. Off to the right of the city, about ten or twelve miles, and some distance back from the river, are quite large camp smokes (I should think that this camp was at Spotsylvania Court-House), while in a direct line from these and near the river appears to be a camp of much smaller size.

Very respectfully, your most obedient servant,

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

FEBRUARY 7, 1863.

T. S. C. LOWE,
Chief Aeronaut, &c.:

Your interesting report just received. What do you consider a large camp as mentioned in your report, and what a small one? About how many men?

Keep your balloon up all you can, and confine the knowledge gained to your reports to these headquarters.

Should like to have you locate camps on maps which General Warren will furnish you for the purpose.

DANL. BUTTERFIELD,
Major-General and Chief of Staff.

HEADQUARTERS AERONAUTIC DEPARTMENT,
February 23, 1863.

Major-General BUTTERFIELD,
Chief of Staff, Army of the Potomac:

SIR: I ascended with the balloon this p. m., but was unable to discover any change in the position of the enemy as far as I could see.

To the south and southeast the atmosphere was too smoky to enable me to see anything in relation to their camp. I will ascend again as soon as the atmosphere becomes clear and furnish you with a fuller report.

Very respectfully, your most obedient servant,

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

HEADQUARTERS ARMY OF THE POTOMAC,
February 24, 1863.

Professor LOWE:

SIR: The balloon ascension to be made between daylight and sunrise to-morrow a. m. should be made with a view to giving us most careful and accurate information as to the number of the enemy and their camps. Rumors that a large portion of their force had gone make it very desirable. You may be able to gain much credit for your branch of science by the care and accuracy and promptness of your report. Can't you take Lieutenant Comstock up with you?

Yours,

DANL. BUTTERFIELD,
Major-General and Chief of Staff.

HEADQUARTERS ARMY OF THE POTOMAC,
February 27, 1863.

Professor LOWE,
Balloon Corps:

SIR: I am requested by Major-General Butterfield to direct that you place a balloon at the disposal of Lieutenant Comstock, chief engineer.

Very respectfully,

WM. L. CANDLER,
Captain and Aide-de-Camp.

HEADQUARTERS ARMY OF THE POTOMAC,
Camp near Falmouth, Va., March 1, 1863.

COMMANDING OFFICER SIXTH CORPS:

SIR: The commanding general directs that upon the application of Professor Lowe, balloonist, you furnish him with a detail of one officer, one sergeant, and thirty-five men to assist him in making an ascension near White Oak Church.

Very respectfully, your obedient servant,

S. WILLIAMS,
Assistant Adjutant-General.

HEADQUARTERS ARMY OF THE POTOMAC,
March 12, 1863.

Professor LOWE,
Chief of Balloon Corps:

PROFESSOR: The commanding general directs that you make frequent ascensions during the day, moving your balloon from right to left near the river. He desires that you make very close observations of the enemy, noticing any movements or work going on or changes made. Watch and note very carefully the fords and all along the river bank. Report promptly anything you may see.

Very respectfully, your obedient servant,

S. WILLIAMS,
Assistant Adjutant-General.

HEADQUARTERS AERONAUTIC CORPS,
March 12, 1863.

Major-General BUTTERFIELD,
Chief of Staff, Army of the Potomac:

GENERAL: I have just received an order from the general-in-chief, through General Williams, directing me to make frequent ascensions, &c., which I have made preparation to do at every favorable moment.

I ascended early this morning from a point near Falmouth, but was unable to discover any movements of the enemy on the roads or near any of the visible fords. All the camps around Fredericksburg remain quiet as usual.

At about 8 o'clock I discerned working parties throwing up earth a short distance to the right of the city on the low land; also in the woods on the first ridge. I then moved the balloon some three miles up the river, where I can get a fine view as soon as the high wind now prevailing ceases.

I have just received a report from one of my assistants, who ascended with the balloon down the river at 6 o'clock this morning (by my direction). Up to 8 o'clock all was quiet on the left, or as far down as the aeronaut could see, and all the camps remained as usual.

Very respectfully, your most obedient servant,

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

HEADQUARTERS AERONAUTIC DEPARTMENT,
Near Falmouth, March 13, 1863.

Major-General BUTTERFIELD,
Chief of Staff, Army of the Potomac:

GENERAL: Between 5 and 6.30 o'clock this morning both balloons ascended, one near White Oak Church and the other about three miles up the river. No movement of the enemy was visible at that time, but all appeared to be quietly in camp, as the smoke ascended from them all. The camp smokes at Bowling Green were distinctly seen, as also one near Scott's Dam, on Golin Run, of considerable size. There is also a camp and quite a number of tents opposite Taylor's Dam. The enemy are still throwing up earth a short distance to the right of Fredericksburg with embrasures for field pieces.

Since early this morning the weather has been too squally to admit of ascending with the balloon. Every opportunity, however, shall be improved and reports made.

Very respectfully, your most obedient servant,

T. S. C. LOWE,
Chief of Aeronautics.

HEADQUARTERS ARMY OF THE POTOMAC,
March 17, 1863.

Professor LOWE,
Balloon Department:

PROFESSOR: The major-general commanding directs that you make an ascension, if your balloon is in readiness, immediately after dusk, or as soon as rockets with their colors and fires are visible; that you report the color, &c., of rockets—if any can be seen—in a northwesterly or westerly direction. The colors expected are to represent signals as follows:

One signal, green; one signal, green and red; one signal, red and white; one signal, red and green; one signal, white and red. Answering signal from intermediate stations, green. Knowing what signals are expected, you can, perhaps, more readily and surely discern them. Report with care.

Very respectfully, your obedient servant,

PAUL A. OLIVER,
Lieutenant and Aide-de-Camp.

HEADQUARTERS CAVALRY CORPS, ARMY OF THE POTOMAC,
March 19, 1863.

General S. WILLIAMS,
Assistant Adjutant-General:

Professor Lowe has an arrangement for transmitting information from distant points by signal balloons, which I think might be made available and valuable with cavalry operating in the field. I have thought the subject over a good deal, and if the professor can get authority to procure the necessary apparatus I will take measures to test and, if possible, put his plan in practice.

Very respectfully, &c.,

GEORGE STONEMAN,
Brigadier-General, Commanding Corps.

[Indorsement.]

HEADQUARTERS ARMY OF THE POTOMAC,
March 19, 1863.

Respectfully referred to Professor Lowe, with the request that he will please state in substance the preparations the proposed plan will require and the probable expense of the same.

By command of Major-General Hooker:

S. WILLIAMS,
Assistant Adjutant-General.

HEADQUARTERS AERONAUTIC CORPS,
Camp near Falmouth, Va., March 20, 1863.

Brig. Gen. S. WILLIAMS,
Assistant Adjutant-General, Army of the Potomac:

GENERAL: In answer to your inquiry concerning the preparation and probable expense of testing my plan for signals by balloons, I would respectfully state that the preparation will consist in getting the balloons made of the proper material and sizes with proper attachments; constructing a variety of characters to be attached to the balloons for day signals; arranging a variety of different colored lights of great power and brilliancy in order that they may be seen a great distance. The time required to get everything ready, I think, would be about one week. The arrangement once completed, any person of ordinary intelligence can use the signals. The cost of thoroughly testing will not exceed $300, after which, if brought into use, the cost of each balloon for conveying signals will not exceed $6, where a quantity is ordered at one time.

I remain, general, very respectfully, your most obedient servant,

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

[Indorsement.]

HEADQUARTERS ARMY OF THE POTOMAC,
March 20, 1863.

Respectfully returned.

It was inferred the tests made proved the expediency and capacity of the plan. Has not Professor Lowe balloons and signals enough on hand of the kind proposed to show their merits for this purpose? If he has, a board will be ordered immediately to report upon them. Return these papers without delay.

By command of Major-General Hooker:

S. WILLIAMS,
Assistant Adjutant-General.

HEADQUARTERS AERONAUTIC CORPS,
Camp near Falmouth, Va., March 21, 1863.

Brig. Gen. S. WILLIAMS,
Assistant Adjutant-General, Army of the Potomac:

GENERAL: In answer to your indorsement upon my communication of yesterday, I would respectfully say that I have not on hand any signal balloons of the size or quality sufficient to show the merit, or to carry up sufficient weight of material for which they are designed.

I have some few balloons left of those ordered by Major-General Burnside, for experiments, but were gotten up in a hurry, and made of very poor material, but the best that could be obtained at the time. They will do very well to use for instruction. I have on hand a quantity of colored fires, but will require to be arranged differently, with some addition, in order to give the full effect and brilliancy desired. I have not any of the proper material on hand for the flags. My extreme estimate of the expense of these experiments was based upon the supposition that a large number of the signals would require to be sent up, embracing every variety of lights, flags, and characters upon the balloons, in order to choose the most desirable.

I am, general, with great respect, your most obedient servant,

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

[Indorsement.]

HEADQUARTERS ARMY OF THE POTOMAC,
March 21, 1863.

Respectfully returned.

Under the circumstances not favorably considered. General Stoneman to be informed by Professor Lowe.

By command of Major-General Hooker:

S. WILLIAMS,
Assistant Adjutant-General.

By the decision in this matter General Stoneman was deprived of a very valuable means of communicating with the commanding general while operating in the interior of the enemy's country. With the signal balloons alluded to General Stoneman could have been heard from every night, and answered from Fredericksburg, which certainly in his last famous raid would have been of great value both to him and to General Hooker.

These intense lights by the aid of balloons, varying in size from ten to twenty feet in diameter, can be sent from 3,000 feet to three miles in the air, and can be seen from 15 to 100 miles, according to the size of the lights. At any rate I would not hesitate on any clear night (with the proper facilities) to guarantee to signal even to a greater distance.

HEADQUARTERS ARMY OF THE POTOMAC,
March 21, 1863.

Prof. T. S. C. LOWE, &c.:

By direction of the General-in-Chief, you will report on Monday morning next to the Committee of Congress on the Conduct of the War, now sitting in the Capitol.

By command of Major-General Hooker:

S. WILLIAMS,
Assistant Adjutant-General.

BALLOON CAMP,
Near Falmouth, Va., March 22, 1863.

Professor LOWE:

SIR: Lieutenant Comstock went up to-day in the Washington. It was very calm, and I let the balloon ascend to an elevation of 2,000 feet, where he remained one hour and a half in full view of the enemy's camps and works for twenty miles distant. The balloon was then towed, at an elevation of 1,000 feet, three miles on our left, with him in the car of the balloon. He expressed himself gratified with the knowledge thus obtained.

Respectfully,

JAMES ALLEN,
Aeronaut, in Charge of Balloon Washington.

BALLOON CAMP,
Near Phillips' House, March 26, 1863.

Prof. T. S. C. LOWE:

SIR: Made an ascension this 12 m. The largest camps of the enemy that could be seen were south and southwest from Fredericksburg. One very extensive camp about eight miles south from the city. I also discovered what I judge to be earth-works (new) from four to six miles west of the city. If earth-works, they are extensive. Could discover nothing of note up the river.

Yours, respectfully,

E. S. ALLEN,
Aeronaut.

MARCH 27, 1863.

Hon. B. F. WADE,
Chairman of Committee on Conduct of the War:

SIR: Please find accompanying this note fifty-one reports of observations taken by me from the balloons during the latter part of May and the month of June, 1862, and forwarded to headquarters Army of the Potomac. They embrace but a small portion of the observations taken, but are all of the copies that I can now readily reach. It will be found that some few of these reports are without date, which is accounted for from the fact that they were sometimes written while in the balloon car and sent down to be copied and forwarded, and the persons who did this neglected to place dates upon the copies retained, as they were not considered of further value.

I remain, with great respect, your most obedient servant,

T. S. C. LOWE,
Chief of Aeronautics.

BALLOON CAMP,
Near Falmouth, Va., March 27, 1863.

Professor LOWE:

SIR: To-day the balloon Washington was taken six miles to the left, and Lieutenant Comstock, Colonel Upton, and Major ———, ascended separately, all of whom spoke in the highest terms of the advantage of this movable observatory, after which she was taken to her moorings.

Respectfully.

JAMES ALLEN,
Aeronaut, in Charge of Balloon Washington.

HDQRS. AERONAUTIC DEPARTMENT, ARMY OF THE POTOMAC,
March 30, 1863.

Brig. Gen. S. WILLIAMS,
Assistant Adjutant-General, Army of the Potomac:

GENERAL: I herewith respectfully report myself returned for duty to the Army of the Potomac, having been relieved for the present from the duties for which I was ordered to report there on the 23d instant.

Very respectfully, your most obedient servant,

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

The following report contains many interesting facts concerning the sytem of aeronautics now employed and others proposed, to which I

would call special attention; also to a letter following of April 1 from the present aeronauts in the Army of the Potomac:

HEADQUARTERS AERONAUTIC DEPARTMENT,
Camp near Falmouth, Va., March 30, 1863.

Brig. Gen. S. WILLIAMS,
Assistant Adjutant-General, Army of the Potomac:

GENERAL: On the 21st of this month I received from you an article setting forth a new plan for operating balloons for military purposes, proposed by a Mr. B. Englend, and referred to me for an expression of opinion and report. In consequence, however, of my time being occupied during the past week in Washington before the Commitee of Congress on the Conduct of the War, I have not been able to make a report until now.

In examining the papers I find many misstatements concerning the present balloon operations, which, in justice to myself and those connected with this department, I feel in duty bound to set right.

First, then, in comparing the two methods, he states that "the time required to inflate a balloon by the present mode is fifteen hours," when in fact it never required over three hours and fifteen minutes, and since adding my last improvements Mr. Allen, one of my assistants, informs me that the gas now makes in two hours and thirty minutes instead of fifteen hours as represented.

Second. He states that the cost of inflating now for a simple inflation is $400, when the actual cost is only about $60 now; and when the iron (which we now obtain free of cost at the Washington Navy-Yard) had to be purchased, the cost was then in the neighborhood of $75, which, when divided into fourteen (the number of days the balloons will retain their power, on the average), the cost per day for gas will be about $5.30. Of course this does not include contingent expenses.

Third. Mr. Englend states that it now requires 12,000 pounds of acid and iron for a single inflation, when, in fact, that amount will keep two balloons inflated from three to four weeks.

Fourth. He states that it now requires twelve or fourteen wagons, when the facts are that it never did require over seven wagons to haul four balloons and appendages and material to keep them inflated, and all camp and garrison equipage for the whole aeronautic corps.

Now that I have made the above corrections, I will give my opinion (as I am ordered to do so) of the relative advantages between the method proposed and the one now employed.

First. According to the statement of Mr. Englend, it requires a bulk of 68,000 cubic feet to lift the same weight that now requires 15,000 cubic feet, much less than a quarter of the capacity of the balloon which he proposes. After figuring the weight of the appendages, which he puts down at 750 pounds, he then has left 250 pounds ascensive power. Now, considering that nine-tenths of the ascensions now made require an ascensive power of 400 to 600 pounds in order to counteract the force of the wind against the side of a balloon, it is certain that with a bulk more than four times as large and weight and with less than a quarter of the power, it could not ascend at all; or, in other words, when the balloon of 15,000 cubic feet capacity lifting 1,000 pounds, with weight of apparatus and two persons, between 400 and 500 pounds, can ascend from 1,000 to 2,000 feet, the balloon of 68,000 feet capacity and weighing 750 pounds, with a lifting power of 1,000, could not be held by fifty men against the wind, and would be blown to the earth.

Second. I should say that it would be impossible to tow from place to place a balloon of the kind last mentioned; therefore should two ascensions be required at different points in one day (as is often the case, in order to make a full and correct report), the balloon would have to be inflated at each point, which would be another impossibility, and would involve the expense of $250, according to the cost set down for each inflation. Besides, the constant handling of the machinery must necessarily soon wear it out.

I would here take occasion to say that the balloons now in service have been in use for nearly two years; have been inflated from one to two months without changing the gas; have stood the storms of two winters, and are kept constantly ready to ascend at five minutes' notice (whenever the weather will admit), and ascend four times higher than ever was done (by ropes) before. These are circumstances which history affords no parallel in any country. Notwithstanding all this, I would respectfully recommend that Mr. Englend be permitted to try his experiments in the field beside the present balloon operations, in order to com-

pare fairly the relative advantages of the two upon precisely the same grounds that I was allowed to try my first experiments, namely, with his own balloon and apparatus and at his own expense.

In conclusion, I would beg to state that the knowledge I have acquired in the aeronautic art has cost me much means and expense and many years of hard labor; therefore I would most respectfully ask that this report will not be furnished to Mr. Englend or his associates, as I desire not to instruct any persons except in the U. S. service.

I remain, general, with great respect, your most obedient servant,

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

BALLOON CAMP,
Near Fulmouth, Va., April 1, 1863.

Prof. T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac:

SIR: In accordance with your request that I should furnish you with a report of my operations previous to my employment under your direction and my opinion of your system of aeronautics, that you may avail yourself of it in your report to the Secretary of War, I would most respectfully submit the following:

For a number of years previous to the breaking out of this war I followed the profession of an aeronaut, as then practiced by the leaders in that art. At the commencement of the rebellion I was induced by my friends to offer my services to the Government. I did so, and for the purpose of demonstrating what I could do I brought on two balloons in July, 1861. Some experiments were made before an officer of the Topographical Engineers, appointed for that purpose. After witnessing my operations he pronounced them unsatisfactory, although I had, as a general thing, been as successful as other aeronauts had previously been. After ascertaining what was expected of balloons, and under what circumstances they would have to be operated, in order to meet the requirements of those not acquainted with the art, I came to the conclusion that balloons could not be introduced into the U. S. service without an entire different arrangement. Not only must decided improvements be made in the balloon and paraphernalia, but the balloon must be inflated at short notice, and at different points in the field, and for that purpose there was no apparatus yet invented. After thus summing up the matter I returned to my home in Providence and subsequently watched with much interest the report of your progress in aeronautics for war purposes, until in the spring of 1862 you invited me to join your corps, since which time I have received much valuable information and instruction from you in the use of your inventions, which now enables me to operate with entire success, and, I believe, satisfactory to you, as I have often had evidence.

In conclusion, I can conscientiously say that the Government is indebted to you alone for the introduction of this useful branch of the public service, and were it not for your improvements in the construction of balloons and invention of portable gas generators, your untiring perseverance, hard labor, and exposure, against great obstacles, aeronauts could never have been of service to our Army.

Balloons, as usually constructed, could not be kept inflated in heavy winds, and at best could not hold their power but a few hours, whereas now the balloons are kept constantly ready to go up, day or night. From their manner of construction and great strength they are able to withstand any storm, and enables the aeronaut to ascend in nearly all weathers, and are so impervious that they can be kept inflated for months with but little replenishing, and consequently trifling expense. These are qualities heretofore unknown in the history of aeronautics, and are merits that deserve the highest commendation.

I remain, professor, with great respect, your most obedient servant,

JAMES ALLEN,
Aeronaut.

I cordially concur in the foregoing as regards the superiority of Professor Lowe's system of aeronautics over former attempts. I have been engaged in ballooning for a number of years past and have been employed under the direction of Professor Lowe for the past five months. I have received much valuable instruction from him in the use of his new system of aeronautics for army purposes, without which balloons could not be used to any advantage in the field.

E. S. ALLEN,
Aeronaut.

SPECIAL ORDERS, No. 95.

HEADQUARTERS ARMY OF THE POTOMAC,
Camp near Falmouth, April 7, 1863.

* * * * * * *

12. Capt. C. B. Comstock, Corps of Engineers, is assigned to the immediate charge of the balloon establishment, and hereafter no issues or expenditure will be made on account of the same, except upon requisitions and accounts approved by that officer.

By command of Major-General Hooker:

S. WILLIAMS,
Assistant Adjutant-General.

Professor LOWE.

ARMY OF THE POTOMAC,
Near Falmouth, April 9, 1863.

Capt. C. B. COMSTOCK,
Corps of Engineers, Army of the Potomac:

CAPTAIN: I am notified by a copy of Special Orders, No. 95, of April 7, 1863, that the balloon establishment is placed in your charge. Will you therefore please inform me of what duties I am expected to perform under your direction, that I may know how to proceed without conflicting with your arrangements.

I remain, very respectfully, your obedient servant,

T. S. C. LOWE.

HEADQUARTERS ARMY OF THE POTOMAC,
April 10, 1863.

Hon. P. H. WATSON,
Assistant Secretary of War:

SIR: In view of the present situation of our forces in the vicinity of Charleston and Baton Rouge, I would respectfully beg leave to submit the following statement:

I have a faithful person (aeronaut) who has been operating under my direction in this department for over a year; therefore, inasmuch as I have another assistant and some soldiers whom I have instructed sufficiently to help manage the balloon here, Mr. Allen—the person alluded to—could be spared for one of the other places. A complete set of apparatus is ready and can be shipped at short notice if required. The balloons here are constantly ready, and are used nearly every day more or less, and I have made preparation to render the utmost service at the next battle. The report that you requested from me is in progress and will soon be completed. It required more time than I at first supposed.

I remain, with great respect, your most obedient servant,

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

CAMP NEAR FALMOUTH, VA., *April 12, 1863.*

Capt. C. B. COMSTOCK,
Corps of Engineers:

CAPTAIN: Between 5 and 7 o'clock this p. m. I made two ascents with the balloon near White Oak Church, and obtained a very good view of the enemy's camps for a distance of about five miles. Beyond that distance the atmosphere was quite smoky. Along the ridge for a distance of about seven miles the enemy's camps are quite numerous, the heaviest being southwest, south, and southeast from where the balloon is anchored. From appearances I should judge they are fully as strong as ever. A clearer atmosphere, however, will enable me to form a better idea of their relative strength, &c.

Very respectfully, your obedient servant,

T. S. C. LOWE.

On the 12th of April I received the following order and instructions, which, considering the services I had rendered for two years and the experience I had acquired, I respectfully submit to the Honorable Secretary were as unnecessary as they were unexpected. I would call especial attention to the following communications up to May 7, 1863 (at which time I left the Army of the Potomac), that the Honorable

Secretary may judge of my conduct under very embarrassing circumstances:

HEADQUARTERS ARMY OF THE POTOMAC,
April 12, 1863.

Mr. T. S. C. LOWE, &c.:

As I informed you yesterday, I do not think the interests of the public service require the employment of C. Lowe, your father, or of John O'Donnell. Please inform me whether you have, as desired, notified them of the fact.

I also stated to you that it might be necessary for the public interest to reduce your pay from $10 to $6 per day. I also mentioned some general rules to be observed by all civil employés connected with the balloons. Some of them are repeated here, and you will please notify your subordinates of them: No absences from duty without my permission will be allowed, and pay will be stopped for the time of absence.

In camp, when the wind is still, ascensions should be made at morning, noon, and night, the labor being equally divided among the aeronauts, and reports made to me in writing of all that is observed during the day. If anything important was observed it should be reported at once. These reports should give the bearings of the important camps observed, and the camps should be numbered from right to left, No. 1 being on the right. You, as having larger experience, are expected to make these ascensions frequently, and to be responsible that no camp disappears and no new one appears without its being reported at once. You will also be held responsible that the apparatus is kept in good order; that the aeronauts attend to their duty; that the necessary requisitions are sent in for supplies, and generally for the efficiency and usefulness of the establishment, as well as its economical management.

Very respectfully,

C. B. COMSTOCK,
Captain of Engineers and Chief Engineer Army of the Potomac.

I asked you yesterday for an inventory of all public property under your charge. Please send it to me to-morrow.

CAMP NEAR FALMOUTH, VA., *April 12, 1863.*

Maj. Gen. D. BUTTERFIELD,
Chief of Staff, Army of the Potomac:

GENERAL: From a copy of Special Orders, No. 95, April 7, 1863, I am informed that the balloon establishment is placed in charge of Capt. C. B. Comstock, Corps of Engineers, to whom I reported immediately on receipt of the above order. In conversation with him yesterday I learned that different arrangements were to be made, and among other things he informed me that my compensation for services were reduced from $10 per day to $6. This Captain Comstock does, I have no doubt, in good faith, and from the view which he takes of this department as it now stands.

Now, in justice to myself and the service in which I am engaged, I beg to submit the following succinct statement:

At the breaking out of the rebellion I was urged to offer my services to the Government as an aeronaut. I did so, at the sacrifice of my long-cherished enterprise in which I had expended large sums of money and many years hard labor, and which, if successful, would compensate me for my expenditure and place aeronautics among the first branches of useful science.

(The enterprise above alluded to could not now be revived, except under the most favorable circumstances.)

During my first operations for the Government I had three competitors in the field and many more applicants. I used my own machinery and expended considerable private means, and two months' labor, for all of which I have never received pay.

My system of aeronautics was selected, and I was offered $30 per day for each day I would keep one balloon inflated in the field ready for officers to ascend. (This was when it was supposed balloons could not be kept constantly inflated, as is now the case.) I declined this offer and offered my services for $10 per day, as I desired to continue during the war and add to my reputation; besides, that amount would be sufficient to support my family. Ever since then I have labored incessantly for the interest of the Government, and I have never shrunk from duty or danger whenever it was necessary to gain information for the commanding general.

For nearly two years, aside from doing all the business of this department, I have made frequent personal reconnaissances and have attended to the management of several balloons for different officers to ascend until within the past two or three weeks, during which time I have been occupied by order of the Secretary of War in preparing a history of this branch of the service, &c., at the same time keeping an eye to the proper management of the balloons, which have been kept in constant use, attended by my assistants.

General, I feel aggrieved that my services should not have been better appreciated. As it is, I cannot honorably serve for the sum named by Captain Comstock without first refunding to the Government the excess of that amount which I have been receiving ever since I have been in the service. This my very limited means will not allow, for it requires full the salary I have received to support myself in the field and my family at home; therefore, out of respect to myself and the duty I owe my family, it will be impossible for me to serve upon any other conditions than those with which I entered the service.

Notwithstanding, as I have promised the commanding general that nothing should be lacking on my part to render the greatest possible service during the next battle, and as I consider that all should be done that genius can devise to make the first move successful, I will offer my services until that time free of charge to the Government.

I remain, general, with great respect,

T. S. C. LOWE,
Aeronaut.

The following are five [four] indorsements made upon the foregoing document:

HEADQUARTERS ARMY OF THE POTOMAC,
April 13, 1863.

Respectfully returned to Professor Lowe, to be forwarded through the proper channel to Captain Comstock, chief of engineers.

By command of Major-General Hooker:

S. F. BARSTOW,
Assistant Adjutant-General.

CAMP NEAR FALMOUTH, VA., *April 13, 1863.*

Respectfully forwarded to Capt. C. B. Comstock, chief engineer, Army of the Potomac.

It was supposed that this was properly addressed, and I take pleasure in rectifying the mistake.

T. S. C. LOWE,
Aeronaut.

Respectfully forwarded.

It is believed that during the two years Mr. Lowe has been receiving $10 per day for his services he has been compensated for the sacrifices made, and that $6 per day is ample payment for the duties he has to perform at present.

C. B. COMSTOCK,
Captain of Engineers and Chief Engineer Army of the Potomac.

HEADQUARTERS ARMY OF THE POTOMAC,
April 15, 1863.

Respectfully returned.

See indorsement of Captain Comstock, Engineer Department, in charge of balloons.

By command of Major-General Hooker:

S. WILLIAMS,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, April 13, 1863.

T. S. C. LOWE,
Chief of Aeronautics, Headquarters Army of the Potomac:

SIR: The Secretary of War directs me to acknowledge the receipt of your letter of the 10th instant stating that you can spare an experienced aeronaut, should his services be required in the vicinity of Charleston or Baton Rouge, and that a complete set of balloon apparatus is ready and can be shipped at short notice.

In reply the Secretary directs me to instruct you to have all necessary preparations completed as soon as possible. You will advise this Department of the weight and bulk of the apparatus and supplies, and also when and from what point the aeronaut you recommend will be ready to start.

Very respectfully, your obedient servant,

P. H. WATSON,
Assistant Secretary of War.

CAMP NEAR FALMOUTH, VA., *April 19, 1863.*

Respectfully referred to Gen. S. Williams, assistant adjutant-general.

The within has been complied with, and Mr. James Allen named as the person that could be spared, inasmuch as I have another person to take his place here, and he would be best suited for another point.

In my judgment the above arrangement will not in the least interfere with the successful operations of the balloons in this army. Therefore I would respectfully recommend that Mr. Allen be ordered to report for the above duty at once.

Very respectfully,

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

HEADQUARTERS ARMY OF THE POTOMAC,
April 19, 1863.

The accompanying communication is respectfully returned to Professor Lowe, to be forwarded through Captain Comstock, engineer, who is in charge of the balloon department. The commanding general desires to be informed why the letter to the Secretary of War, to which the answer is in reply, was not transmitted through headquarters.

By command of Major-General Hooker:

S. WILLIAMS,
Assistant Adjutant-General.

CAMP NEAR FALMOUTH, *April 20, 1863.*

Capt. C. B. COMSTOCK,
Chief of Engineers, Army of the Potomac:

CAPTAIN: According to your directions, I referred the inclosed letter from the Assistant Secretary of War to General Williams, who has returned it with the accompanying note.

In answer to the commanding general, why my letter to the Assistant Secretary of War was not transmitted through headquarters, I would respectfully state that I was not aware that it was customary to do so, and if in my zeal to render service to the Government I have overstepped the bounds prescribed by military law I can only say that it was unintentional.

I remain, very respectfully, your obedient servant,

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

HEADQUARTERS ARMY OF THE POTOMAC,
April 20, 1863.

Respectfully forwarded, and indorsement of T. S. C. Lowe not approved.

C. B. COMSTOCK,
Captain of Engineers and Chief Engineer Army of the Potomac.

HEADQUARTERS ARMY OF THE POTOMAC,
April 20, 1863.

On the 19th instant Mr. T. S. C. Lowe, aeronaut, informed me that he had been directed by the Honorable Secretary of War to send a balloon and aeronaut to Charleston, and that he had selected Mr. J. Allen. At my request he showed me the accompanying letter from the Assistant Secretary of War.

I informed him that such orders should come to me from the adjutant-general of this army, and not from himself; that he, not being in charge of the balloon establishment, had not the power to change it; and that I did not think it consistent with the interests of this army to detach Mr. J. Allen from it at present. A balloon can be spared without detriment.

Respectfully forwarded to adjutant-general, Army of the Potomac.

C. B. COMSTOCK,
Captain of Engineers and Chief Engineer Army of the Potomac.

HEADQUARTERS ARMY OF THE POTOMAC,
April 21, 1863.

Respectfully returned.

Captain Comstock will make the necessary arrangements for the balloon to be placed at the disposal of the War Department and advise the Assistant Secretary of War, as herein directed.

If it is possible for him to spare an aeronaut he will name the one selected in his communication concerning the balloons.

By command of Major-General Hooker:

S. WILLIAMS,
Assistant Adjutant-General.

HEADQUARTERS ARMY OF THE POTOMAC,
Camp near Falmouth, Va., April 15, 1863.

Hon. P. H. WATSON,
Assistant Secretary of War, Washington, D. C.:

SIR: Your letter of the 13th instant is received, and in answer would respectfully state that the weight and bulk of the apparatus and supplies necessary for the balloon to be sent South or West are as follows: Two balloons and appendages, about 500 pounds, in a basket three feet by five and two feet deep.

One set of gas generators to go in two army-wagon running gears, same dimension as wagon body and five feet high, weighing about 1,000 pounds each. Material to keep one balloon inflated day and night for two months will consist of 100 carboys of sulphuric acid, weighing about 16,000 pounds, and twenty barrels of iron turnings, weighing about 10,000 pounds. The cost of the above amount of gas material, as now purchased, is about $350—less than $6 dollars per day. The acid can be obtained from Messrs. Savage & Stewart, No. 18 North Front street, Philadelphia, Pa.; the iron at the Washington Navy-Yard. The aeronaut, Mr. James Allen, will be in Washington on Monday next, with everything complete and ready to start from that point, provided the quartermaster procures the acid and iron above mentioned. The salary required by Mr. Allen is $5 per day with rations, or $5.75 per day without rations, and all necessary transportation.

I remain, sir, with great respect, your most obedient servant,

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

BALLOON CAMP,
Near Falmouth, April 14, 1863.

Professor LOWE,
Chief of Aeronautics:

An extensive camp seven miles southwest of Sherwood's forest; one extensive camp southeast of Sherwood's forest, about five miles; one southwest of the left of our picket line, about four miles from the river; one extensive camp eight miles from the left of our picket line in a south-southwesterly direction. About ten miles from Sherwood's forest in a westerly direction I saw a large column moving to our right, or the left of the enemy.

I am, sir, yours, respectfully,

JAMES ALLEN,
Aeronaut.

HEADQUARTERS AERONAUTIC DEPARTMENT,
Camp near Falmouth, Va., April 14, 1863.

Capt. C. B. COMSTOCK,
Chief Engineer, Army of the Potomac:

CAPTAIN: On hearing that Mr. Allen saw a column (while in the balloon near White Oak Church) moving to the right, I immediately went up in the balloon near Falmouth Station to observe if any extra camp smoke or fires could be seen to the west, but was unable to notice any change, except a few camp-fires not noticed before, on the road from Fredericksburg toward Chancellorsville, I should judge about six miles. All the rest of the camps remain the same as usual.

This p. m. three regiments were drilling on the flats, two to the south and one to the right of Fredericksburg.

The following are the compass bearings of the various camps, as seen by Mr. E. S. Allen from balloon near Falmouth Station.

Extreme right to extreme left: No. 1, 3 to 4 miles west; No. 2, 2 miles west by south; No. 3, 2 miles southwest by west; No. 4, 2 to 3 miles southwest; No. 5, 2 to 3 miles southwest by south; No. 6, 2 miles south; No. 7, 4 to 5 miles south; No. 8, 8 to 10 miles south.

The usual amount of smoke arose from all the above camps this evening.
It is evident, from all appearances, that the enemy have not made any considerable move as yet.
The balloons will be up at daybreak if the weather will admit.
Very respectfully,

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

CAMP NEAR FALMOUTH, VA., *April 17, 1863.*

Capt. C. B. COMSTOCK,
Chief Engineer, Army of the Potomac:

CAPTAIN: During my observations to-day I was unable to discover any changes in the position of the enemy. The following is the compass bearing, taken of the enemy's position by Mr. Allen, from the Phillips house, which I find to be as near correct as is possible to get from that point.
Position of the enemy's camps as observed from balloon Eagle, April 17, 1863, beginning with the most distant one, west from Phillips' house, Va.:
No. 1, west 5 miles (large camp); No. 2, west by south 3 miles; No. 3, west by south 6 to 8 miles; No. 4, southwest by west 2 miles (large camp); No. 5, southwest by west 12 to 15 miles (large camp); No. 6, southwest 8 miles; No. 7, southwest by south 3 miles; No. 8, southwest by south 10 to 12 miles (large camp); No. 9, south 2 miles (large camp); No. 10, south 3 to 4 miles; No. 11, south 8 to 10 miles (large camp). Three or four small camps near the river bank, south by east.
Very respectfully,

T. S. C. LOWE,
Chief of Aeronautics.

CAMP NEAR FALMOUTH, VA., *April 18, 1863.*

Capt. C. B. COMSTOCK,
Chief Engineer, Army of the Potomac:

CAPTAIN: Inclosed is Mr. Allen's report of observations taken to-day. I ascended this p. m. (the atmosphere being clearer in the west) and could see no change. The camp smoke arose from the usual places as far as I could see.
I could not get very high, however, in consequence of the strong breeze blowing at the time.
Very respectfully,

T. S. C. LOWE.

HEADQUARTERS ARMY OF THE POTOMAC,
April 19, 1863.

T. S. C. LOWE,
Chief Aeronaut:

Please inform me what has been the custom when on the march. Have the balloon guard moved with the balloon trains? And are two escorts, namely, the two details we now have needed, or only one, or none, in case of a movement?
Please let me know what material you think should go when we move.
These things should all be thought of and arranged, my approval only being needed.
Very respectfully,

C. B. COMSTOCK,
Captain of Engineers and Chief Engineer Army of the Potomac.

CAMP NEAR FALMOUTH, VA., *April 19, 1863.*

Capt. C. B. COMSTOCK,
Chief of Engineers, Army of the Potomac:

CAPTAIN: In answer to yours of this date asking what has been the custom when on the march, and whether the present escort are needed or not, I would state that it has been customary for the men detached on the balloon service to accompany the aeronautic train in order that balloon observations may be taken along the route when required.
I would recommend that the details for both balloons be retained, inasmuch as considerable pains have been taken to instruct them in the requirements of the department. This will enable us to tow the balloons along as the army advances and take observations whenever required; and should bad weather compel us to discharge the gas, sufficient material should be taken along to reinflate, which can be done in the night, and observations taken of the enemy's position and the roads

they take at daylight in the morning. I anticipate that the balloon can be of more service when moving than at any other time, provided we are following the enemy. I informed Captain Howard, assistant quartermaster, what transportation would be necessary for this department, and he informs me that he has set the same aside for our use, namely, seven wagons.

Very respectfully, yours, &c.,

T. S. C. LOWE,
Chief of Aeronautics.

HEADQUARTERS ARMY OF THE POTOMAC,
April 20, 1863.

Mr. T. S. C. LOWE,
Aeronaut:

Please send me the names of three or four persons whom you deem best qualified to take charge of an independent balloon, with their addresses, not including those aeronauts with this army.

Respectfully,

C. B. COMSTOCK,
Captain, &c.

CAMP NEAR FALMOUTH, *April 20, 1863.*

Capt. C. B. COMSTOCK,
Chief Engineer, Army of the Potomac:

CAPTAIN: In answer to yours of this date asking for the names of three or four persons whom I deem best qualified to take charge of a balloon, I would respectfully say that I cannot name but two persons whom I could recommend for the Government service, aside from those already employed, although if occasion requires it I might select several who could be instructed in the use of army balloons.

The names of the two persons above alluded to are Mr. W. S. Morgan, No. 293 Second street, Jersey City, N. J., and Mr. J. B. Starkweather, Boston, Mass. Both of these parties, placed under an experienced army aeronaut, would render good service.

Very respectfully, &c.,

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

CAMP NEAR FALMOUTH, VA., *April 21, 1863.*

Captain COMSTOCK:

I ascended at about sundown this evening, but the atmosphere was too hazy to admit of a detailed examination of the enemy's position. All the principal camps, however, were visible and appear unchanged. I have taken a large balloon (capable of taking up two persons) to the left this p. m.

Respectfully, &c.,

T. S. C. LOWE,
Chief of Aeronautics Army of the Potomac.

HEADQUARTERS ARMY OF THE POTOMAC,
April 21, 1863.

Mr. T. S. C. LOWE,
Aeronaut:

Please have a balloon put in condition, so far as is practicable here, to be placed at the disposal of the Honorable Secretary of War at once. Please also inform me when it and machinery will be ready to be turned over to the quartermaster for transportation, and if there are any repairs needed which cannot be done here or anything needed to its efficiency not to be obtained here, please furnish me with a statement of such things in full. Also make out a list of everything needed to go with it. Also please inform me which of the two persons recommended by you as aeronauts a few days ago you deem best qualified to accompany the balloon.

Very respectfully,

C. B. COMSTOCK,
Captain of Engineers.

CAMP NEAR FALMOUTH, VA., *April 21, 1863.*

Capt. C. B. COMSTOCK,
Chief of Engineers, Army of the Potomac:

CAPTAIN: In answer to yours of this date I would respectfully say that all of the balloons, with the exception of the two now in use (needing repairs that could not readily be done in the field), were sent to Washington on the 17th with the balloon barge and old generators, which also need repairs. The balloons were sent to the Columbian Armory, where they have always been taken for repairs or storage, there being a large room for that purpose.

I intended four balloons to be kept in readiness for this army, and that two should be sent with the aeronaut that goes South, in order that he may operate with economy and to advantage. As to repairs to the balloons, it will be impossible to state exactly what they are until they are thoroughly examined. The principal things, however, for the two that I intended for the South are turning inside out, recoating, and inserting new top and valve in one of them.

As to the two aeronauts, of whom you desire me to name the one best qualified to be placed at the disposal of the War Department, I would state that, in my opinion, for that service neither of them would answer, unless directed by an experienced army aeronaut who has had experience in the management of balloons for war purposes, which is quite different from the art practiced in the ordinary way. Therefore if you do not desire to send the aeronaut first named by me, under all the circumstances I would most respectfully ask to be ordered to report to the Secretary of War in his stead. With this arrangement the wishes of the Honorable Secretary could be complied with, and at the same time all machinery could be kept in order for all points where balloons are used.

I remain, very respectfully, your obedient servant,

T. S. C. LOWE,
Aeronaut.

CAMP NEAR FALMOUTH, VA., *April 22, 1863.*

Capt. C. B. COMSTOCK,
Chief of Engineers, Army of the Potomac:

CAPTAIN: I examined the enemy's position more closely this p. m., between 4 and 6 o'clock, than I have had an opportunity of doing for a number of days past. If I might be permitted to venture an opinion as to the relative strength of the enemy, I should say that they are about three to our four. I should estimate their supports to the batteries immediately back of the city of Fredericksburg to be about 10,000.

Immediately opposite where General Franklin crossed, say from two to three miles from the river, and from the railroad station along the height about one mile and a half, I should say that there were 25,000 troops camped.

Still farther to the left and south of the railroad there are also several large camps. During the time I was up I noticed many regiments on parade, near the various camps, and at one place there were three, while still farther back, I should judge four miles from the river and one mile to the left of the railroad, I saw a column of infantry moving to the right which required about twenty minutes to pass a given point, after I discovered them, and I counted what I took to be seven regiments. They had no colors flying as those did that were on parade.

Should the morning be fine I should be gratified to ascend with you, and could then better explain the points referred to. I am inclined to believe that the enemy are either strengthening their army or bringing up their troops from Bowling Green and the Junction. The latter is the most probable, as there is not as much smoke visible in that direction as heretofore.

Very respectfully, your obedient servant,

T. S. C. LOWE,
Chief of Aeronautics.

On the 27th General Butterfield ordered me to make frequent ascensions, and to report to him and to General Sedgwick. Captain Comstock was then absent, and I did not see him until the 6th of May.

The following orders and reports relative to observations during the seven-days' battle I think worthy of special attention, as they show what can be done by the balloons when required, and they

demonstrate their value as a means of observation, although there might be occasions when even more service could be rendered:

HEADQUARTERS ARMY OF THE POTOMAC,
April 28, 1863.

Professor LOWE,
Chief of Balloon Department:

PROFESSOR: The general commanding desires you to have your balloon up to-night, to see where the enemy's camp-fires are. Some one acquainted with the position and location of the ground and the enemy's forces should go up.

Very respectfully,

PAUL A. OLIVER,
Lieutenant and Aide-de-Camp.

BALLOON IN THE AIR,
April 29, 1863—10 a. m.

Major-General SEDGWICK,
Commanding Left Wing, Army of the Potomac:

GENERAL: The enemy's line of battle is formed in the edge of the woods at the foot of the heights from opposite Fredericksburg to some distance to the left of our lower crossing. Their line appears quite thin compared with our force. Their tents all remain as heretofore, as far as can be seen.

T. S. C. LOWE,
Aeronaut.

12 M.

The enemy's infantry are moving to our right about four miles below our crossing on a road just beyond the heights. The enemy do not appear to advance.

T. S. C. LOWE.

1.30 P. M.

The enemy are moving wagon trains to their rear. Their force, which is in position opposite our crossing, is very light. I should judge not more than we now have across the river.

T. S. C. LOWE.

2.45 P. M.

About two regiments of the enemy's infantry have just moved forward from the heights and entered the rifle-pits opposite our lower crossing. Heavy smokes are visible about six miles up the river on the opposite side in the woods.

T. S. C. LOWE,
Chief of Aeronautics.

HEADQUARTERS ARMY OF THE POTOMAC,
April 29, 1863.

Professor LOWE, &c.:

The major-general commanding directs that one of your balloons proceeds to-night or before daybreak to-morrow to Banks' Ford, or vicinity, and takes position to ascertain with regard to the force of the enemy between Fredericksburg, Bowling Green, and Banks' Ford. A signal telegraph is working between here and Banks' Ford, by which information can be communicated.

It is especially desired to know the comparative strength of the enemy's force at Franklin's Crossing, and in the vicinity of Banks' Ford, and above to the west of Fredericksburg.

BUTTERFIELD,
Major-General and Chief of Staff.

HEADQUARTERS ARMY OF THE POTOMAC,
April 29, 1863.

Maj. Gen. J. SEDGWICK,
Commanding Sixth Corps:

GENERAL: The commanding general desires that you will please have the accompanying communication sent at once to Professor Lowe, who is supposed to be in your vicinity.

Very respectfully, &c.,

S. WILLIAMS,
Assistant Adjutant-General.

HEADQUARTERS ARMY OF THE POTOMAC,
April 29, 1863.

Professor LOWE, &c.:

The major-general commanding directs that your balloon on service near Sedgwick's command be sent up at a very early hour in the morning before sunrise, and that you get a communication with the signal telegraph to forward to these headquarters the earliest information with regard to the numbers, strength, and position of the enemy. This is not to interfere with the service of the balloon at Banks' Ford.

Very respectfully, your obedient servant,

S. WILLIAMS,
Assistant Adjutant-General.

APRIL 29, 1863

JAMES ALLEN,
In Charge of Balloon Washington:

You will have your men prepare one or two days' rations to-night, and in the morning have the men all ready to cross the river by daybreak. I will meet you where the balloon is now anchored.

Very respectfully, &c.,

T. S. C. LOWE,
Chief of Aeronautics.

HEADQUARTERS AERONAUTIC CORPS,
April 29, 1863.

Mr. E. S. ALLEN,
In Charge of Balloon Eagle:

General Hooker desires a reconnaissance made after dark to observe the location of the enemy's camp-fires. Also in the morning immediately before daybreak. Great care should be taken to gain all the information you can. Please make a careful report after 9 o'clock to-night and soon after daylight in the morning. A high altitude should be attained in order to accomplish the object desired. Be careful you observe the points of the compass correctly.

Very respectfully, your obedient servant,

T. S. C. LOWE,
Chief Aeronaut, Army of the Potomac.

HEADQUARTERS ARMY OF THE POTOMAC,
April 29, 1863.

Maj. Gen. JOHN SEDGWICK:

GENERAL: I shall be absent to-morrow morning at Banks' Ford and vicinity, and if I may venture an opinion, I think it advisable that some engineer or other competent officer be instructed to ascend in balloon Washington from time to time until my return, for the purpose of reconnoitering from Fredericksburg as low down as the commanding general deems necessary.

Very respectfully, your obedient servant,

T. S. C. LOWE,
Chief Aeronaut, Army of the Potomac.

HEADQUARTERS ARMY OF THE POTOMAC,
April 29, 1863—10 p. m.

Mr. E. S. ALLEN:

The commanding general directs that your balloon be taken to Banks' Ford in order to take very important observations before and after daybreak. I will be there at daybreak, but you can commence to take observations should I not be there in time. The best way to go is to follow the signal telegraph. Look out for obstructions, &c., and don't *fail*, for now is your time to gain a position.

Respectfully, &c.,

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

BANKS' FORD, *April 30, 1863—10.45 a. m.*

Maj. Gen. BUTTERFIELD,
Chief of Staff, &c.:

The balloon arrived at 3 a. m., but since that time have not been able to get an observation until now. The enemy opposite here are apparently not near as strong

as they are opposite Franklin's Crossing, while opposite United States Ford there appears to be only one camp. I cannot yet see to Bowling Green, owing to the low clouds. The enemy's smokes are more numerous than usual in the rear of the heights opposite Franklin's Crossing below Fredericksburg.

T. S. C. LOWE,
Aeronaut.

BANKS' FORD, *April 30, 1863—1.30 p. m.*

Maj. Gen. BUTTERFIELD, &c.:

The enemy opposite this ford occupy three positions from a half to one mile from the river, also opposite what I take to be United States Ford. About five miles up there is a small force. To the left of Banks' Ford, commanding the road, the enemy have a battery in position. It is hard to estimate their force, for they are partially concealed in the pine woods, but they are certainly not near as strong as below Fredericksburg.

Respectfully, &c.,

T. S. C. LOWE.

4.45 P. M.

The enemy opposite this place remain the same as last reported. Numerous camp smokes are now arising from the woods, about ten or twelve miles in a southwest by westerly direction.

T. S. C. LOWE.

HEADQUARTERS AERONAUTIC CORPS,
Camp near Falmouth, April 30, 1863—8.30 p. m.

Major General BUTTERFIELD,
Chief of Staff:

GENERAL: After my report at 4.45 this p. m. I came down to General Sedgwick's headquarters and ascended at 7 o'clock, remaining up until after dark in order to see the location of the enemy's camp-fires. I find them most numerous in a ravine about one mile beyond the heights opposite General Sedgwick's forces, extending from opposite the lower crossing to a little above the upper crossing. There are also many additional fires in the rear of Fredericksburg. From appearances I should judge that full three-fourths of the enemy's force is immediately back and below Fredericksburg.

Very respectfully, your most obedient servant,

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

This last report was of much importance, as it gave the commanding general correct information as to the position of the enemy, and he was enabled to regulate his operations at Banks' and United States Fords accordingly. I was confident that the enemy had brought up reserves from Bowling Green and the Junction, and this induced me to hasten to Franklin's Crossing to take an observation there the same evening, although I was considerably exhausted from having been up all the previous day and night. I also concluded from General Hooker's movements that the enemy would learn them, and probably move up the river the next morning. I accordingly sent the following order to an assistant in charge of the balloon at Banks' Ford, and to this and the reports I made on the following morning I would call attention.

APRIL 30, 1863.

Mr. E. S. ALLEN,
In Charge of Balloon Eagle, Banks' Ford:

Commence observations at daylight to-morrow morning, and look out for the enemy moving on the roads, either up or down, and report by telegraph, having your dispatch sent to General Hooker at United States Ford, and to General Sedgwick, Franklin's Crossing. Be sure of the correctness of your reports, and report promptly.

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

The following eight dispatches were of the greatest importance, and especially when it is considered that all of these movements were out

of sight of all but the observer in the balloon, and the information could not have been obtained in any other way:

BALLOON IN THE AIR,
May 1, 1863—9.15 a. m.

Major-General SEDGWICK,
Commanding Left Wing, Army of the Potomac:

GENERAL: Heavy columns of the enemy's infantry and artillery are now moving up the river accompanied by many army wagons, the foremost column being about opposite Falmouth and three miles from the river. There is also a heavy reserve on the heights opposite the upper crossing, and all the rifle-pits are well filled.

T. S. C. LOWE.

9.30 A. M.

Still another column has just started from opposite the upper crossing, but not those mentioned as reserved in my last dispatch. They are moving with great rapidity.

T. S. C. LOWE.

10 A. M.

A column of the enemy are now crossing a small run that empties into the Rappahannock at Banks' Ford. One of the columns that left from opposite here required thirty minutes to pass a given point. The balloon at Banks' Ford is continually up. Long trains of wagons are still moving to the right.

T. S. C. LOWE.

11 A. M.

I can see no earth-works on the Bowling Green road. I should judge that the guns had been taken from the earth-works to the right of Fredericksburg. Another train of wagons is moving to the right on a road about one mile from beyond the heights opposite Franklin's Crossing. The enemy's barracks opposite Banks' Ford are entirely deserted. The largest column of the enemy is moving on the road toward Chancellorsville. The enemy on th opposite heights I judge considerably diminished. Can see no change under the heights and in the rifle-pits. I can see no diminution in the enemy's tents.

T. S. C. LOWE.

12.30 P. M.

In a west-northwest direction, about twelve miles, an engagement is going on. Can see heavy smoke and hear artillery. In a west-southwest direction, about four miles, artillery is moving toward the engagement. A large force of the enemy are now digging rifle-pits-extending from Deep Run to down beyond the lower crossing just by the edge of woods at the foot of the opposite heights. There are but few troops in sight now except those manning batteries and in the rifle-pits. There appears to be a strong force in the rifle-pits.

T. S. C. LOWE.

2.15 P. M.

The enemy opposite here remain the same as last reported. Immense volumes of smoke are arising where the battle is going on opposite United States Ford. A large force must be engaged on both sides. This would be a good time for some staff officer to ascend, if it is desirable to you.

T. S. C. LOWE.

2.45 P. M.

The enemy are throwing up earth-works for artillery on a little rise of ground at the foot of the height about 300 yards from Deep Run.

T. S. C. LOWE.

3.45 P. M.

The smoke from the battle appears to be in the same position, but in much lighter volumes. Everything opposite here remains the same.

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

HEADQUARTERS ARMY OF THE POTOMAC,
May 2, 1863—5.15 a. m.

Professor LOWE:

Please get up your balloon at once and let me know the position of the enemy's troops.

DANL. BUTTERFIELD,
Major-General and Chief of Staff.

HEADQUARTERS ARMY OF THE POTOMAC,
May 2, 1863.

Professor LOWE:

Add to former dispatch and notice any movements toward Sedgwick's.

D. BUTTERFIELD,
Major-General.

GENERAL SEDGWICK'S COMMAND,
May 2, 1863—6.15 a. m.

Major-General BUTTERFIELD, &c.:

The troops opposite this place remain in the same position as last evening. Owing to the high wind now prevailing I am unable to use a glass sufficiently to see whether there is any movement on the roads between here and the battle-ground of yesterday or not. I will examine them the first opportunity and report.

Respectfully, &c.,

T. S. C. LOWE.

MAY 2, 1863—7.30 A. M.

I have just obtained a tolerably good view of all the main roads beyond the heights and toward Chancellorsville, but could see no troops or wagon trains on them. The enemy opposite remain in the same positions, apparently without any increase.

Respectfully, &c., T. S. C. LOWE.

MAY 2, 1863—7.45 A. M.

General BUTTERFIELD, &c.:

Heavy cannonading has just commenced in a westerly direction about twelve miles. The enemy are shelling our troops opposite here.

T. S. C. LOWE.

MAY 2, 1863—8.15 A. M.

Professor LOWE:

Has the enemy's force decreased any?

DANL. BUTTERFIELD,
Major-General and Chief of Staff.

8.30 A. M.

I cannot say that the enemy have decreased, but they do not show themselves quite as much this morning, and I can see no reserves on the opposite heights.

T. S. C. LOWE.

MAY 2, 1863—12 M.

Professor LOWE:

Why is not the balloon up, and why do we not hear from it?

DANL. BUTTERFIELD,
Major-General.

12.30 P. M.

Major-General BUTTERFIELD, &c.:

GENERAL: I have made several efforts to ascend, but found the wind too high and could not use the glass. It is getting calmer now, and I will try again.

T. S. C. LOWE.

MAY 2, 1863—1.05 P. M.

The enemy remain the same opposite this point, and no movement is visible on any of the roads seen from the balloon. The wind continues so flawy that the balloon was blown from a thousand feet elevation to near the earth.

T. S. C. LOWE.

3.15 P. M.

A brigade of the enemy left from opposite the upper crossing fifteen minutes since, and crossed Deep Run, and is now moving to the right toward Banks' Ford. They have also disappeared from opposite our extreme left, below the lower crossing.

T. S. C. LOWE.

3.45 P. M.

The enemy's troops that I saw moving to the right took the Plank road in the rear of Fredericksburg.

T. S. C. LOWE.

MAY 2, 1863—4.15 P. M.

The enemy have entirely withdrawn their advanced line, with the exception of a small picket force.

T. S. C. LOWE.

5.30 P. M.

Nearly all of the enemy's force have been withdrawn from the opposite side. I can only see a small force in the neighborhood of their earth-works. I cannot at this time get a sufficient elevation to tell what roads they take, but should judge by the appearance of army wagons moving to the right that the troops are moving that way also.

T. S. C. LOWE.

SIGNAL STATION, *May 3, 1863.*

Professor LOWE:

I am directed to inform you that your reports can be forwarded to headquarters Army of Potomac by telegraph. The station is where it was yesterday. Your reports to General Sedgwick can be forwarded by flag signals from station on bluff, immediately in front.

With great respect, your obedient servant,

F. WILSON.
First Lieutenant, in Charge Telegraph Station.

At 6 a. m. I was called upon by an aide, who said the general desired me to make a close examination of the enemy's position, and to point out his strongest and weakest points along the line of earth-works about Fredericksburg. The following was my report:

MAY 3, 1863—5.15 A. M.

Major-General SEDGWICK, and
General BUTTERFIELD,
Chief of Staff:

The enemy have apparently increased their force during the night, and appear again at the foot of the opposite heights. There does not appear to be as many, however, as yesterday morning.

T. S. C. LOWE.

7.15 A. M.

Major-General SEDGWICK, and
General BUTTERFIELD,
Chief of Staff:

The enemy's infantry is very light along the whole line opposite here, and especially immediately in the rear of Fredericksburg. I can see no troops moving this way on any of the roads. Heavy cannonading has just commenced on the right toward Chancellorsville.

T. S. C. LOWE.

Our troops were immediately concentrated in front, and at 11 o'clock the point reported by me to be the weakest was charged and very handsomely taken. I do not believe that any other point could have been taken by the same number of men.

HEADQUARTERS ARMY OF THE POTOMAC,
May 4, 1863—12.20 p. m.

Professor LOWE, &c.:

The commanding general wishes to have one balloon sent to United States Ford, inflated if possible. What answer shall I make to the general?

Very respectfully, your obedient servant,

S. WILLIAMS,
Assistant Adjutant-General.

In answer to the above dispatch I informed the general that I had but two balloons fit for use, one at Banks' Ford and the other at Fredericksburg, and that I would move whichever one to United States Ford he should direct. As it was necessary to know what movements the enemy were making in their rear, and the two places mentioned being the best for observations for that purpose, the general returned the following order:

UNITED STATES FORD, *May 4, 1863.*

General WILLIAMS:

Leave the balloons for the present where they are—Fredericksburg and Banks' Ford.

J. HOOKER,
Major-General.

MAY 4, 1863—12 M.

Generals SEDGWICK and BUTTERFIELD:

The enemy that entered the earth-works in the rear of Fredericksburg still remains. They also have considerable infantry and some wagons with their artillery on the heights to the left of Hazel Run. A portion of General Sedgwick's command occupies a position to the right commanding the enemy. I should estimate the enemy to be now in sight at least 15,000 strong.

T. S. C. LOWE.

6.15 P. M.

Generals HOOKER and SEDGWICK:

The enemy are advancing in large force to attack our forces on the right of Fredericksburg.

6.50 P. M.

The enemy are engaged in full force and driving our forces badly.

MAY 4, 1863—7.30 P. M.

The enemy have driven our left with a large force and have possession of the river opposite Falmouth.

T. S. C. LOWE.

MAY 5, 1863—10.45 A. M.

Major-General BUTTERFIELD,
Chief of Staff:

I am unable at this time to see any movements of the enemy except some wagons moving up and some down the river. The enemy in force appear to hold all the ground they gained yesterday.

T. S. C. LOWE.

CAMP NEAR FALMOUTH, VA., *May 7, 1863.*

Capt. C. B. COMSTOCK,
Chief Engineer, Army of the Potomac:

CAPTAIN: The heavy storm of the 5th and 6th instant caused the loss of the entire gas from one balloon, partially from the other; also destroyed ten carboys of acid and four barrels of iron trimmings.

I would therefore respectfully recommend that 100 carboys of acid and twenty barrels of iron be at once ordered by telegraph.

I remain, very respectfully, &c.

T. S. C. LOWE,
Chief of Aeronautics, Army of the Potomac.

Shortly after sending the above to Captain Comstock I called on him personally, relative to putting in order several balloons which

needed repairs, and also to learn what decision had been made relative to my communication of April 12, 1863. Captain Comstock informed me that he would select the person to superintend that business—(the delicate one of putting balloons in order.) He also informed me that the terms were indicated in his indorsement on my communication. I informed him that was not satisfactory, and inasmuch as I had given notice on the 12th of April that I could not serve on the terms he named, and as the battle was now over, I wished to be relieved, provided it was a suitable time; to which Captain Comstock replied that if I was going I could probably be spared better then than any other time. I received pay up to April 7 inclusive, and came to Washington.

On the 8th I received the following dispatch, which is an indication that General Hooker was not informed of the change that had been made in the aeronautic department.

HEADQUARTERS ARMY OF THE POTOMAC,
May 8, 1863.

General Hooker sent one of his aides over at 10 a. m. to tell you to have two balloons up, and to keep them up all the time. I informed the aide that you had left the Army of the Potomac. Will you not write Hooker?

J. F. GIBSON.

CONCLUSION.

I have endeavored in this report not only to furnish a complete account of my own operations in connection with the military service, but to present all the essential facts for the use of the historian of this war relative to the introduction, use, and results of aeronautic observations. I feel assured that whatever may be the estimate of my own services, it will redound to the honor and credit of President Lincoln and his Administration that they have availed themselves of every means to crush this rebellion which loyal minds could devise or loyal men be willing to execute.

The details I have presented all have their significance when taken in connection with other facts relative to the conduct of the war known to the military authorities; and I have on this account, as well as from the entire novelty of the history, not thought it advisable to condense or abridge this report to a greater extent.

In conclusion, I would briefly state a few of the most important matters which deserve consideration.

First. The Government decided to introduce my system of aeronautics into the service—only after satisfactory experiments and practical tests had proved its importance—and it has been continued in constant use for two years under various generals, which would not have been the case had not experience demonstrated its utility, and the truth of all I originally claimed for it.

Second. Without wishing to disparage others, I may safely claim that my improved balloons and apparatus, including the portable gas generator (which are entirely my invention), are the only ones which are found to be adapted to the wants of the army service, and that I have done more to perfect the system, and to render it efficient and reliable than all who have been engaged in the art since the experiments of Guy Lussac in 1784.

To gain this knowledge has cost me many years hard labor and nearly $30,000 in money, and for which the United States Government alone is daily reaping the benefits.

Third. During the whole period of my employment I have devoted all my mental and physical energies to secure the success of the enterprise. I have never shrunk from the discharge of my duty, however hazardous, and holding no commission, I have often been perplexed and put to inconvenience in doing the business of the aeronautic department, which properly belonged to a commissioned officer, but for want of one acquainted with the business was compelled to do it myself. I have also been at all times exposed to the danger of being treated as a spy had I fallen into the hands of the enemy.

Fourth. For the first large balloon and apparatus brought to Washington and used in the preliminary experiments for the Secretary of War, and afterward at Falls Church, Fort Corcoran, and other places, I have never received compensation, nor for my labor and time, and expense of keeping a party of men employed for making the aforesaid experiments.

Fifth. It must be evident, without attempt at demonstration, that so novel and peculiar an apparatus as a balloon requires the most careful and trustworthy management and the most skilled and experienced observers. Having had more practical knowledge and greater experience in this business than any one else, I respectfully submit that the compensation I have asked and received has been small in comparison with the services performed.

Sixth. The plans I have proposed are calculated to be of great value to the Army, and if proper facilities were afforded most important results could be obtained. Instead therefore of any curtailment of the aeronautic department I would most respectfully recommend its being permanently adopted as an arm of the military service, with established positions and regulations for those connected with its management. The persons to be selected for this service should be those tested in the field, and found to be the most reliable and experienced, who can instruct others when required. For want of proper facilities and persons capable for the service I have been unable to propose an extension of the balloon service to all parts of this army.

I have the honor to be, very respectfully, your most obedient servant,

T. S. C. LOWE,
Aeronaut.

P. S.—Since completing this report I have obtained a copy of the Prince de Joinville's narrative of the Peninsular Campaign, from which I extract the following:

Page 47:

The shells from the rifled guns flew in all directions with a length of range which had not before been suspected. The accuracy of their fire forced us to abandon all the signal posts we had established in the tops of the tallest trees. The balloon itself, whenever it rose in the air, was saluted with an iron hail of missiles which were, however, perfectly harmless.

Page 67:

Could the Federals meet, with a powerful concentration of troops, that concentration which the enemy had effected, and to the reality of which the observations of our aeronauts, as well as the statements of deserters, daily bore witness?

Page 72:

It had been built by General Sumner, about half-way between Bottom's Bridge and the most advanced point of the Federal lines. It saved that day the whole Federal army from destruction.

NOTE.—I have the best of reasons to believe that Sumner's Bridge was completed a day sooner than it otherwise would have been by my

frequent reports that the enemy were moving to the left. (See my dispatches to General McClellan of June 29, 1862, and following with comments.)

Page 75:
Some time had been lost under the impression that the attack on the right bank might be a feint. An end was soon put to all doubts on the subject by the vehemence of the attack, and by the aeronauts who reported the whole Confederate army moving to the scene of action. It was then that Sumner received the order to pass the river with his divisions.

NOTE.—See my dispatches of May 31 and June 1 with comments.

Page 86:
The presence of Jackson at Hanover Court-House proved that he intended to attack our communications, and cut them off by seizing the York River Railway. The maneuver was soon put beyond a doubt. A considerable body of troops were seen to leave Richmond, move in the direction of Jackson, and execute that movement to turn us, the danger of which we have already pointed out.

NOTE.—The above information was given in my reports of the 26th and 27th of June, 1862.

T. S. C. LOWE.

GENERAL ORDERS, No. 165. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, June 5, 1863.*

Under the law of 17th July, 1862, and Regulations of the Treasury Department in conformity therewith, the following rules for the rendition of accounts of the Quartermaster's Department are established, and all regulations inconsistent therewith are revoked.

1. All officers of the Quartermaster's Department who receive public money which they are not authorized to retain as salary, pay, or emolument, shall render their money accounts monthly, mailing or forwarding them addressed direct to the Third Auditor of the Treasury, at Washington, within ten days after the expiration of each successive month. The accounts and vouchers to be thus rendered are: Forms Nos. 10 to 22 inclusive, and Nos. 48 to 50, of the Revised Regulations of the Army. These accounts and vouchers are to be made up in duplicate; one copy of each to be retained by the officer for his own protection, the other copy to be forwarded, as above required, direct to the Third Auditor, and not to the Quartermaster-General.

2. Whenever an officer ceases, from any reason, to be a disbursing officer, he will immediately render his final accounts, with vouchers, to the Third Auditor.

3. Monthly reports and property returns will be forwarded not to the Treasury, but direct to the Quartermaster-General. They will all be rendered monthly instead of quarterly, and will be mailed or otherwise forwarded within ten days after the expiration of each successive month.

The returns to be thus rendered are: Forms Nos. 1 to 9, Nos. 23 to 46, and Nos. 51 to 52, Revised Regulations. The returns, Forms Nos. 23 and 51, should always be made out in triplicate; all the other papers in duplicate only. One complete set of these returns, with vouchers, should be retained by the officer for his own protection; the rest to be sent to the Quartermaster-General.

It will be observed that two copies of the returns, Forms 23 and 51, will thus be forwarded to the Quartermaster-General, of which one only will be accompanied by abstracts and vouchers.

4. Officers who are not doing duty as quartermasters, who are not disbursing money, but who are responsible for public property received from the Quartermaster's Department, such as horses, clothing, camp and garrison equipage, &c., will only forward to the Quartermaster-General the monthly returns of the property for which they are accountable, accompanied by vouchers. This includes company commanders, who should hereafter transmit their returns of clothing and other quartermaster's property to the Quartermaster-General monthly, instead of quarterly.

5. All officers doing duty in the Quartermaster's Department are also required to make out and forward to the Quartermaster-General on the first day of each month a personal report, giving their post-office address and a statement of the duty upon which they have been employed since their last report.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR.] WAR DEPARTMENT, ADJT. GENERAL'S OFFICE,
Washington, June 5, 1863.

On the application of a provost-marshal for military aid in the performance of the duties imposed on him by law, the commanding officer of a military department will furnish such force as he may deem necessary. If he cannot supply the force asked for, or does not deem it necessary, he will immediately so inform the provost-marshal in order that the latter may properly advise the Provost-Marshal-General.

By command of Major-General Halleck:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 166. WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, June 6, 1863.

The allotment commissioners appointed by His Excellency Horatio Seymour, Governor of New York, under the act of the Legislature of the State of New York to promote enlistments, passed the 17th of April, 1863, are hereby recognized by the War Department as on equal footing with the allotment commissioners of the United States in all armies, detachments, and posts; and all commanders, paymasters, and officers in the service are directed to respect and treat them accordingly.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR No. 18. WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, D. C., June 6, 1863.

1. All requisitions for clothing, camp and garrison equipage, arms, &c., for the companies of the Invalid Corps must be made on the usual printed forms of the departments, and will state, both on the indorsement and on the inside, that they are for the use of the Invalid

Corps, and will include the necessary company books, blanks, records, &c., required by the General Regulations of the United States Army for companies of infantry.

2. The acting assistant provost-marshals-general of States will immediately make their requisitions for a first supply in quantity equal to the number of companies assigned them in Circular No. 13 from this office, and will make requisitions from time to time on the proper bureau to meet further wants.

3. The companies of the First Battalion will be armed with muskets, according to the pattern furnished by the Ordnance Department. The requisitions will therefore cover the necessary equipments and ammunition, at eighty rounds per man, for a company of infantry of eighty rank and file, the sergeants to have swords. It is assumed that the First Battalion will equal in strength the Second and Third Battalions together.

4. The Second and Third Battalions will be armed with swords. Requisitions for these companies will therefore be made for swords and belts, according to pattern to be furnished by the Ordnance Department.

JAMES B. FRY,
Provost-Marshal-General.

HEADQUARTERS PROVOST-MARSHAL,
TWENTY-FOURTH DISTRICT OF PENNSYLVANIA,
New Brighton, June 6, 1863.

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: I have the honor herewith to inclose you a copy of a letter yesterday received from W. G. W. Day, a gentleman left in charge of the enrollment in Greene County. You will observe that a combined resistance to the enrollment has occurred in one of the townships of that county, and I fear the trouble is of some magnitude.

Yesterday (on receipt of Mr. Day's letter) Captain Cuthbertson, the provost-marshal for this district, proceeded to Greene County, taking with him from Pittsburg twenty-five men of the provost guard. The intention of Captain Cuthbertson is to promptly arrest the persons engaged in this combined resistance, and we think that by prompt and efficient action further trouble may be avoided.

Hoping the steps taken by Captain Cuthbertson will meet with your approval,

I am, very respectfully,

G. S. BARKER,
Deputy Prov. Mar., Twenty-fourth Dist. of Pennsylvania.

[Inclosure.]

WAYNESBURG, *June 2, 1863.*

BOARD OF ENROLLMENT, 24TH DIST. OF PENNSYLVANIA:

GENTLEMEN: I am sorry to inform you that the enrollment is not going on pleasantly in Greene County. In Dunkard Township, the hotbed of copperheadism, there is trouble. Mr. Alexander, the enrolling officer of that township (who, by the way, is a very good man, shrewd, calm, and resolute, and a business man withal), has been forced to abandon the township. I could not get a man in the township to undertake the enrolling.

Mr. Alexander had taken it under the first arrangement and got through one township without any difficulty. But yesterday he was in Dunkard and they raised a company and defied him and made him leave; just blocked him up so that he could not do anything, and there is trouble brewing in other townships.

Their plea in Dunkard is that there was a draft made and never enforced. There are seven men there now who have skulked the draft. I am satisfied, and so are the best citizens, that force must be used. There are about three townships which will be troublesome. Something must be done soon or they will have the thing all in their own hands.

Yours,

W. G. W. DAY.

WHEELING, VA., *June 7, 1863.*

Col. J. B. FRY,
Provost-Marshal-General:

SIR: I have the honor to state that the discussion of the expediency of enforcing the enrollment act in Western Virginia was not provoked by me. The letters upon the subject obtained and forwarded were procured at the especial request of State officials. I will at once take steps to procure from leading men in each district recommendations for members of the boards of enrollment, as directed.

Very respectfully, your obedient servant,

JOS. DARR, JR.,
Major and Acting Assistant Provost-Marshal-General.

SPECIAL ORDERS, No. 255. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, June 8, 1863.*

* * * * * * *

38. The order by letter from the War Department of July 22, 1862, under which Hon. J. H. Lane was appointed commissioner for recruiting, Department of Kansas, with power to raise troops, is, at his request, hereby vacated and annulled.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR No. 19. } WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., June 8, 1863.*

I. Paragraph 11, page 3, Regulations for the Government of the Bureau of the Provost-Marshal-General of the United States, is hereby amended so as to read as follows:

Provost-marshals are directed to appoint a deputy provost-marshal for every county in their district, except for the county in which the district headquarters are located. These deputies should be selected with care, and should be men suited for the performance of the duties which will devolve upon them. They should acquaint themselves thoroughly with the county and the people in it, and should be able to secure the arrest of all deserters now in their counties, as well of

those men who may become deserters by failing to answer the summons of the provost-marshal in case of draft. The pay of a deputy provost-marshal shall not exceed $100 per month.

II. Paragraph 12, page 3, of same Regulations, is so amended as to read as follows:

Special officers or agents for detecting and arresting deserters or spies may be employed when necessary; but not more than four shall be employed in a district without the approval of the Provost-Marshal-General. Their names must be reported and the amount of compensation proper to be allowed must be recommended. They may be paid, &c. * * *

III. Returns required by Forms Nos. 7, 8, 9, and 10 will hereafter be made quarterly instead of monthly.

A careful study of these and all other "forms" is recommended, as all returns and papers must be in strict accordance therewith. Any failure, even in a slight degree, to conform to them will result in a return for correction of such papers.

IV. Provost-marshals are reminded that parties themselves must sign all receipts, the Government not recognizing the signature of one party for another, unless a power of attorney in each case accompany such signature.

Where employés are not present at the headquarters of a district to sign the receipt rolls (Form 17) their accounts may be made on separate vouchers (Form 18), but no accounts will be paid unless the name of the person be borne on Form No. 4, monthly.

V. Until further orders boards of enrollment shall not adjourn over a day, except Sunday, without the permission of the acting assistant provost-marshal-general of the State. The business of the enrollment and that connected with the Invalid Corps must receive constant attention until completed.

Members of boards of enrollment are forbidden to absent themselves from their duties or their districts without leave first obtained from the acting assistant provost-marshal-general of the State, who shall not grant leave of absence for more than five days at any one time without the approval of the Provost-Marshal-General.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 20. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., June 8, 1863.*

I. The enrollment should include all able-bodied male citizens of the United States, and residents of foreign birth who shall have declared on oath their intention to become citizens, between the ages of twenty and forty-five years.

II. For the purpose of enrollment, all the above-named persons who were not in the military service on the 3d of March, 1863, shall be divided into two classes—

The first class consisting of all between the ages of twenty and thirty-five years and all unmarried persons above the age of thirty-five and under forty-five.

The second class consisting of all married persons between the ages of thirty-five and forty-five years.

The persons who were in the military service of the United States on the 3d of March, 1863, should therefore appear in the consolidated enrollment lists in a class by themselves. The preparation of these

lists should not be permitted to interfere with the earliest possible completion of the consolidated lists of Classes I and II.

Men from the first class will be the first called into the service of the United States.

JAMES B. FRY,
Provost-Marshal-General.

HDQRS. PROV. MAR. SIXTEENTH DIST. OF PENNSYLVANIA,
Chambersburg, June 8, 1863.

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: I have the honor to report that on the 5th instant I received information (telegram No. 1) that Henry Ickes, the enroller for the sub-district No. 38, the township of Saint Clair, in Bedford County, had met with resistance; that his saw-mill was burnt and himself effectually intimidated from the further prosecution of his work. To give you all the information in my power, I inclose a copy (No. 2) of Mr. Ickes' letter to me. This gentleman I cannot but believe acted judiciously in the discharge of his duties. He is an elderly person, has been or is a justice of the peace, and was recommended to me by several of the best citizens of Bedford. The spirit of opposition with which he has been met is but the outcropping of that which well-informed persons apprised me a month ago existed in that neighborhood. In order to ascertain the real condition of things, I dispatched D. A. Wertz, esq., to Bedford on Saturday morning with instructions to obtain the names of the guilty parties, with proofs, and consult with Messrs. King, Russell, Cessna, and Washabaugh, all gentlemen of intelligence and distinction. As will be seen by Mr. Wertz's telegram to me (No. 3) of this date, resistance to the enrollment has manifested itself in Napier Township, in addition to Saint Clair, and the enroller damaged by the destruction of his property. The copies of telegrams (Nos. 4 and 5) inclosed will inform you of my proposed action in this emergency. I will add that I shall resort to force only when in my judgment it shall become necessary

The enrollment is in rapid progress over the district, and I see at present nothing to prevent its completion by the 20th instant. Possibly a few sub-districts may not send in complete lists before the 25th.

I am, sir, very respectfully, your obedient servant,
GEORGE EYSTER,
Provost-Marshal Sixteenth District of Pennsylvania.

P. S.—Dispatch No. 6 received as this letter is being mailed.

[Inclosure No. 1.]

BEDFORD, PA., *June 5, 1863.*

Capt. GEORGE EYSTER:

Henry Ickes commenced enrolling yesterday and met with resistance. Burned his saw-mill. Will not act. Do not know who will.

JACOB Z. OVER.

[Inclosure No. 2.]

SAINT CLAIRSVILLE, BEDFORD COUNTY, PA.,
June 5, 1863.

Capt. GEORGE EYSTER:

DEAR SIR: I must inform you that I commenced enrolling yesterday and I met with resistance. The first half day that I was out four men

declined to give me the age of their sons, and said that there was no law to make another draft, and that it was unconstitutional, and if they were drafted they would use powder and lead. The same night my saw-mill was set on fire and burned to ashes, which is a loss to me of at least $600 with the other property that was on it.

I have declined to make the enrollment for the reason that I think that my family and the balance of my property would not be safe. I think the Government should make up my loss, as I was employed by it. I would not risk my life and property and make the enrollment for $1,000.

Please write soon and direct to Saint Clairsville, Bedford County, Pa.

Yours, truly,

HENRY ICKES,
Esquire.

[Inclosure No. 3.]

BEDFORD, PA., *June 8, 1863.*

Capt. GEORGE EYSTER:

The Napier Township enroller had his barn burned last night. On consultation with Messrs. Cessna, King, Russell, and Washabaugh, it was considered best to send 100 men to enforce the law if further demonstrations are made. Be ready and I will telegraph.

D. A. WERTZ.

[Inclosure No. 4.]

CHAMBERSBURG, PA., *June 8, 1863.*

D. A. WERTZ,
Bedford, Pa.:

I will order a force on from Carlisle when the emergency arises. In the meantime obtain the names of offenders and be active in getting proof. Incur any reasonable expense to detect the guilty. Tell N. C. Evans to report to me by telegram as soon as he has completed his enrollment.

GEORGE EYSTER,
Provost-Marshal Sixteenth District of Pennsylvania.

[Inclosure No. 5.]

CHAMBERSBURG, PA., *June 8, 1863.*

The COMMANDANT AT CARLISLE BARRACKS:

There are symptoms of disturbance in Bedford County that may have to be met with force. One enroller has had his saw-mill, another his barn, burnt. I respectfully notify you that I may be compelled to call upon you for assistance under regulation 25, to which I would refer you. Can you furnish me 100 men, should the emergency arise?

GEORGE EYSTER,
Provost-Marshal Sixteenth District of Pennsylvania.

[Inclosure No. 6.]

CARLISLE BARRACKS, PA., *June 8, 1863.*

Capt. GEORGE EYSTER:

Captain Hastings is absent from the post; will be back in two days. If absolutely necessary I think fifty or sixty men might be furnished.

JOHN B. JOHNSON,
First Lieutenant, Sixth Cavalry, Commanding.

GENERAL ORDERS, No. 170. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, June 9, 1863.*

Paragraphs 931, 933, and 934, Revised Regulations for the Army, of 1861, are modified to read as follows:

931. No person under the age of eighteen years is to be enlisted or re-enlisted without the written consent of his parent, guardian, or master. Recruiting officers must be very particular in ascertaining the true age of the recruit.

933. If the recruit be a minor under eighteen years of age, his parent, guardian, or master must sign a consent to his enlisting, which will be added to the preceding declaration in the following form, &c.

934. The forms of declaration and of consent in case of a minor under eighteen having been signed and witnessed, the recruit will then be duly examined, &c.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 171. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, June 9, 1863.*

1. When an officer is relieved from duty in the field, transferred to a distant department, discharged from service, or detached in any way from an army in active service, he will turn over to the chief quartermaster any horse, being his property, which may have been purchased from the Quartermaster's Department under the privileges of paragraph 1143, Revised Regulations, and will be allowed therefor the value of the horse at the time it is returned, to be determined by a board of officers to be appointed by the officer in command of the troops present. In no case, however, shall the sum allowed and paid exceed the price at which the horse was originally purchased from the Quartermaster's Department.

2. No officer will be permitted to sell a serviceable horse which has been purchased from the Quartermaster's Department under paragraph 1143. Such horses are issued to enable officers to perform their public duties.

3. When officers, ordered without troops from one department to another, apply for orders for the transportation at public expense of their authorized horses, they shall accompany the application with a certificate that the horses for which transportation is asked are their private property, purchased at a distance from the seat of war, and that they have never been the property of the United States. Without such certificate no such application for transportation of horses shall be considered.

4. Orders for transportation of horses of officers traveling without troops will be granted only in special cases, and when the public service seems to require or justify them.

5. Where officers are transferred from one department to another on their own application and for their own convenience, transportation of horses will not be allowed.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

[JUNE 9, 1863.—For order organizing the Departmental Army Corps of the Monongahela, see Series I, Vol. XXVII, Part III, p. 44.]

CIRCULAR No. 21. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., June 10, 1863.*

1. To answer the many inquiries that are addressed to this office in relation to the character of the duties of the Invalid Corps and the method of getting into it, the following is published for the information of all:

2. Enlisted men, honorably discharged on account of disability, desiring to re-enlist in this corps will present themselves to the Board of Enrollment for the district in which they reside, for examination by the surgeon thereof, who shall make a personal examination of them and report the result to the Board of Enrollment.

3. The Board shall then consider each case, and if the applicant is found to fulfill the conditions specified below, the Board shall give him a certificate (according to the form furnished) to that effect, viz:

(1) That he is unfit for service in the field.

(2) That he is fit for garrison duty according to the rules laid down in General Orders, No. 130, War Department, 1863.

(3) That he is meritorious and deserving.

(4) That he was honorably discharged from the service on account of disability.

4. The provost-marshal for the district shall furnish the applicant with a ticket of transportation, by the shortest practicable route, to the nearest acting assistant provost-marshal-general of a State (no matter if it be not in the same State), who shall procure such evidence of service and good character as he may deem sufficient; and if satisfied that it is a meritorious case and that the man is not intemperate, he will have him enlisted. If rejected, the man shall have a transportation ticket to the district whence he came.

5. The term of enlistment in the Invalid Corps shall be three years, unless sooner discharged. Enlistments shall be made upon printed forms furnished for the purpose. They will in all cases be made in duplicate.

The premium for accepted recruits as laid down in paragraph 1315, General Regulations, will not, however, be allowed in the Invalid Corps service.

6. It is further announced that no officer or enlisted man shall be entitled to or receive any pension, premium, or bounty for enlistment or re-enlistment or service in the Invalid Corps. Claims for pensions or bounties which may be due for previous service will not be invalidated by enlistment in the Invalid Corps. But no pensions can be drawn or accrue to the benefit of any man during his service in said corps. The officers and men will be organized into companies of infantry, of the same strength as is now authorized by law for the U. S. infantry.

7. The officers and enlisted men will receive the same pay and allowances now authorized by law for the U. S. infantry, and will be paid in the same manner.

8. The following uniform has been adopted for officers of the Invalid Corps:

Frock coat: Of sky-blue cloth, with dark-blue velvet collar and cuffs; in all other respects according to the present pattern for officers of infantry.

Shoulder straps: According to present regulations, but worked on dark-blue velvet.

Pantaloons: Of sky-blue cloth, with double stripe of dark-blue cloth down the outer seam, each stripe one-half inch wide, with space between of three-eighths of an inch.

The following uniform has been adopted for the enlisted men of the Invalid Corps:

Jacket: Of sky-blue kersey with dark-blue trimmings, cut like the jacket for U. S. cavalry, to come well down on the loins and abdomen.

Trousers: Present regulation, sky-blue.

Forage cap: Present regulation.

9. Men enlisted in or transferred to the Invalid Corps will be subject to the Articles of War, Army Regulations, &c., the same as other soldiers, and will be required to perform all duties within the limit of their physical capacity, as laid down in the rules and regulations for that corps; but for the convenience of service they will be selected for three grades of duty. Those who are most efficient and able bodied, and capable of using the musket and performing guard duty, light marches, &c., will be assigned to companies of the First Battalion. Those of the next degree of physical efficiency, including all who have lost a hand or an arm, to the companies of the Second Battalion. Those who are the least effective, and including all who have lost a foot or leg, to the companies of the Third Battalion.

10. Companies of the First Battalion will be employed mainly as provost guards and garrisons for cities, but may be assigned to forts, field-works, and railroads near the cities and other important points. They will be armed with muskets, and will not be liable to active campaigns with the field armies.

Companies of the Second Battalion will be armed with side-arms only, and will be employed as guards of buildings, hospitals, &c., and will have companies of the First Battalion on duty with them when the use of firearms may be necessary.

The companies of the Third Battalion will be armed with side-arms like the Second Battalion, and will be employed in hospitals as cooks, nurses, ward masters, clerks, orderlies, &c.; the officers of these companies doing the duties of military assistants at the hospitals.

JAMES B. FRY,
Provost-Marshal-General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Saint Louis, June 10, 1863.

Brig. Gen. L. THOMAS,
Adjutant-General U. S. Army, Louisville, Ky.:

GENERAL: Col. William A. Pile, Thirty-third Missouri Volunteers, has just shown me your letter, dated June 6, 1863, referring to an apparent misunderstanding by him of your instructions relative to the raising of colored troops. I beg leave to say on this subject that Colonel Pile came to me with your order authorizing him to raise such troops and informed me that he had distinct verbal permission from you to extend his operations to Missouri, provided he could secure the full consent of the Governor of the State. Governor Gamble unhesitatingly gave his consent, with the qualifications necessary to prevent any interference with the slaves of loyal owners and avoid any violation of the laws of the State. I at once made the necessary orders to

enable Colonel Pile to carry out his instructions, and the work is progressing rapidly and harmoniously. I have heard no complaint from any source.

I have known Colonel Pile since the beginning of the war as a most honorable, energetic, and efficient officer. I know of no one better qualified for this peculiar service than he. If it is the intention of the Government to raise colored troops in Missouri I hope Colonel Pile will be permitted to continue what he has so well begun.

You are aware, general, that this is a matter of no little delicacy and one which in unscrupulous hands might give rise to great difficulty. It is for this reason that I am desirous that the present arrangement be not disturbed. I cannot doubt but Colonel Pile is correct in his understanding of your verbal instructions in this matter, which, owing to your severe illness, may have escaped your memory. Permit me to add, general, that it will be my pleasure to assist you so far as in my power to carry out the wishes of the Government in this as in other matters, and to express the earnest hope that you may soon be restored to perfect health.

I am, general, very respectfully, your obedient servant,

J. M. SCHOFIELD,
Major-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, June 10, 1863.

GOVERNOR OF NEW JERSEY,
Trenton, N. J.:

SIR: I am directed by the Secretary of War to inform you that the Department will accept from your State additional volunteers, infantry and cavalry, to serve for three years or during the war. All regiments you may offer will be accepted, this under the condition that not more than five regiments of infantry and two regiments of cavalry are to be under recruitment at one time.

In conducting the recruitment the requirements of General Orders, No. 75, series of 1862, from the War Department, in connection with paragraph 86, of Revised Mustering Regulations, will be observed.

The organization of the respective regiments will be governed by General Orders, No. 110, current series, from the Adjutant-General's Office. In recruiting the cavalry regiments the requirements of General Orders, No. 105, series of 1862, must be met.

In addition to the foregoing, and to the end that the Department may be at all times fully advised as to the state of the service, it is desired that the names of all persons you may authorize to recruit (under General Orders, No. 75) may be reported to this office so soon as the appointments are issued, and that you will report at least once a month the location where the officers are recruiting, the number of men recruited for each regiment, and the probable time when any one regiment will be completed and in readiness for the formal muster into service by the U. S. mustering officer of the State.

Recruits for regiments in the field will also be received; this under paragraphs 3 and 4 of General Orders, No. 88, of 1862. All men mustered into the service under this authority will be duly credited to your State in case of a draft being ordered.

I am, sir, very respectfully, your obedient servant.

J. B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL'S OFFICE, TENTH DISTRICT OF PA.,
Pottsville, June 10, 1863.

Col. JAMES B. FRY,
Prov. Mar. Gen. of the United States, Washington, D. C.:

DEAR SIR: On the 4th instant I had two instances of assault upon the enrolling officers within this district—one in sub-district No. 7, consisting of Schuylkill Township, and the other in sub-district No. 23, consisting of Hegins and Hubley Townships, both within Schuylkill County.

The assault in sub-district No. 7 was in the mining village of Newkirk, some fourteen miles east of this place. I send you copies of two letters relating to this, one from the enrolling officer, Jeremiah F. Werner, and the other from William K. Jones, who was with him at the time, and who is an intelligent and reliable citizen of Tamaqua. These will exhibit to you the character of the assault, and of the people also, who are to be enrolled there. I have not yet learned what was done by the four persons, or either of them, whom Mr. Jones names, nor who fired the revolver. I therefore have not yet taken steps to arrest anybody as concerned in that assault. The assault in sub-district No. 23 was in Hegins Township, among a farming population of Pennsylvania Germans, some twenty-two miles or thereabouts north of west from here. I send you herewith a copy of the affidavit of Peter W. Kutz, the enrolling officer, which will acquaint you with that case. I deemed it improper to let this instance of assault pass unnoticed. I therefore, upon this affidavit of Kutz, ordered my deputy, Uriah Gane, to arrest the three assailants, Abraham Bressler, Israel Stutzman, and Christian Stutzman.

At 8 o'clock in the evening of Monday, the 8th instant, Deputy Gane, with the sergeant (William Parks) and three men of the guard and James Bowen, a special assistant, left here in two carriages to execute the order. They reached Bressler's house after midnight and posted themselves, as the deputy says, properly about the house. Bressler was at home, and a man who is represented to me as named Abraham Reed, and as a hired man of Bressler's, was also within. Bowen knows Bressler well, and tells me is sure Bressler was within, because he heard and knows his voice.

Bressler refused to open the front door, where Gane and Bowen stood, and tried to escape by the back door. Sergeant Parks and one of the guards were at the back door. It was opened from within, and Bressler and Reed showed themselves there. Sergeant Parks at once laid hold of Bressler and said "you are my prisoner. I arrest you in the name of the provost-marshal," and then shouted "Marshal! Marshal!" Then one of the men inside called to the other for "the rifle." Bressler escaped from the sergeant's grasp and jumped back into the house, and Reed prevented the sergeant following by shutting-to the door and holding it. Gane, who was in front, on hearing the sergeant call for the marshal, at once went around to the back-door, where I understand this happened. A person at the door was holding it to, and as the sergeant and men say, had a rifle in his hand. About the time Gane got there the door was opened, the sergeant had fired his revolver inside, and Gane saw a man disappear in the smoke within. He rushed in, seized the man and arrested him "in the name of the United States." It was dark. On procuring a light he discovered the man he had seized was not Bressler, but Reed, and he let him go and went on searching for Bressler. On going to an end window he found it open and a rifle standing beside it. This rifle he

brought away, and it is now here very heavily loaded. The guard who had been posted outside by that window, on the cry of "Marshal! Marshal!" had left their position and so gave Bressler the chance which he used to escape. Gane afterward heard Bressler's wife tell her daughter, in German, that he was gone to Tremont, a small town about four miles south from there.

Our party being satisfied that Bressler was gone, went on and without any difficulty arrested the two Stutzmans.

On their way back, when coming up the mountain and about two miles and a half from Bressler's, at a sharp turn in the road, they met Bressler himself on horseback coming from Tremont. Israel Stutzman, one of the arrested men, who was along, and is a neighbor of his, and was sitting alongside the driver of the foremost carriage, said it was Bressler. It was about 3 o'clock in the morning and cloudy. Gane jumped from his carriage window and all but caught him. Gane ran after him down the mountain, the guard following. Gane called him by name and told him to stop, and that he "had a warrant for him." Sergeant Parks ordered him four times to halt, and, as he did not halt, fired his revolver after him twice. They gained upon him as long as the road descended, which was over a quarter of a mile. But as soon as Bressler came to where the road was somewhat level, away he went beyond their reach and they stopped pursuing.

If our men had been mounted they could easily have captured him. Bressler was riding his brother's (Solomon Bressler) horse, and he seems thus to have gone to his brother's, who lives near him, and taken his brother's horse when he escaped, and gone to Tremont with it. Our men did not then go back to Bressler's house to take him, and I have not up to this time done anything further toward arresting him.

The two Stutzmans were brought to my quarters. I had a locomotive here with steam up ready to take them at once beyond the reach of habeas corpus from the bench here on the way to the U. S. marshal in Philadelphia. The principal man, however, was not brought in, and these two were really not of an offensive spirit at least, and censured instead of upholding Bressler's conduct toward the enrolling officer. I therefore bound them by their honor and in the sum of $1,000 each (ostensibly) to appear here whenever I want them and then let them go home. The man Reed was wounded in the arm; how badly I do not know. Sergeant Parks tells me that the man at the door dropped the rifle when he fired and was wounded in the arm. He also tells me that he himself would surely have been shot by the rifle if he had not fired as he did.

I certainly would have myself avoided wounding anybody or even discharging firearms at all, if I had been present and could have done so. Gane tells me the firing was not done by his or anybody's else order. Still the occasion may have justified all that was done, and I am disposed to believe that it did.

The effort made to arrest Bressler and the result, even with all the circumstances, I am satisfied will tend, and strongly too, to smooth the enroller's way hereafter in this country. The public already canvass the whole, and those who are loyal regard it as an earnest that the provost-marshal's work here is to be done, and all others manifest surprise.

The enrolling officer for that sub-district, Peter W. Kutz, was too much intimidated to go on with his work and resigned yesterday.

The Board immediately appointed another, Peter N. Snyder, in his place. The new enroller has gone to-day to begin, and with instructions to commence in the very Bressler neighborhood where the late assault was made, and to not desist until driven away by actual force, and if driven off, then to report immediately to me with all the facts.

Very respectfully, yours,

C. TOWER,
Provost-Marshal.

[Inclosure No. 1.]

LEWISTOWN, *June 4, 1863.*

Capt. C. TOWER:

SIR: I was this day in the town of Newkirk to enroll the men of said place, but was driven away by them. I then took another man along to assist me, but found them determined to resist, and they did so by firing four shots at us with a revolving pistol. I think that it is useless to try to enroll them without having a strong force, for they swore that they would resist any man.

I hope you will not let them slide, but send me a force strong enough to enroll them.

Yours, truly,

JEREMIAH F. WERNER,
Enrolling Officer of the Seventh Sub-district of Schuylkill and Lebanon Counties.

[Inclosure No. 2.]

TAMAQUA, *June 4, 1863.*

C. TOWER, Esq.:

DEAR SIR: It is useless for J. F. Werner to undertake the finishing of the enrollment for the village of Newkirk, in Schuylkill Township. I was with him to-day as an assistant, but it was uncomfortably warm, as the Irish had congregated and, as we found, were determined to resist, and did by giving us four shots from a revolver (luckily none hitting us). I am at any time willing to assist your deputies, but think you will find it necessary to have more than one assistant, as the Irish are so leagued as to make it necessary to coerce them. If it is required to use force in making the enrollment, I am requested to say that Company E, One hundred and twenty-ninth Regiment, will render you all the assistance in their power.

Truly, yours,

W. K. JONES.

If you desire to make examples of any who choose to have resisted the enrollment, I give you the following names, and am willing at any time to appear against them:

Columbus McGee, Luke Scanlin, John Kelley, and Manus Burns, Newkirk, Schuylkill Township.

[Inclosure No. 3.]

COMMONWEALTH OF PENNSYLVANIA,
Schuylkill County:

Peter W. Kutz, of Eldred Township, in said Schuylkill County, being duly sworn, says: That he is enrolling officer for sub-district No. 23, comprising Hegins and Hubley Townships in said county, within the Tenth Congressional District of Pennsylvania, duly appointed under the act of Congress entitled "An act for enrolling and calling out the national forces and for other purposes," approved 3d of

March, 1863; that as such officer he began to enroll in Hegins Township early in the morning of Thursday, the 4th day of June, 1863, and continued enrolling until between 4 and 5 o'clock in the afternoon; that he came to Israel Stutzman's shoemaker shop in said township at about 4 o'clock in the afternoon, and there enrolled said Stutzman, and soon after he was in he was followed by Christian Stutzman and Abraham Bressler. That said Abraham Bressler then and there told him that it was the best for him that he did not come in his, said Bressler's, house, or he, said Bressler, would have killed him or broken his bones for him; that he could stop enrolling and go home, that would be the best for him; that he should not take the enrollment there, nor anybody else, and also, "if this was in my house," he said, "I would give it to you in the right way; but I have got no right here, I know that." That said Israel Stutzman and Christian Stutzman both joined in with said Bressler and laughed at what he said, and both of them said, "Lincoln ought to go in this war," and said Israel Stutzman also called the deponent a negro catcher; that when he left the shop and proceeded on further to make the enrollment the said three persons above named all came out of the shop also and followed him for a considerable distance, all of them together, and shouting at and quarreling with him as they went, and the said Abraham Bressler, also, all the time had a stone in his hand; that he cannot state what the three or any one of them said while they were so following him, but they were all angry and seemed to be threatening him and he was afraid of being hurt by them, and so desisted and was driven off from enrolling any further there and went home. That when he had gone from them about a mile on his way home, he came across two men together whom he did not know and cannot name, in the woods by the roadside, and they hailed him and told him the best way for him would be to go home and not enroll there any more. And that when he had gone yet a half a mile or so still farther on his road home, he met three other men in the road, no one he knew or can name, and one of whom had a gun in his hands, and they too all told him the best way for him would be to go home; and that, by reason of what he has stated above, he was deterred from enrolling any more then or since in said Hegins Township, and believes he is in danger of his life or of bodily injury if he does so. And further he says not.

P. W. KUTZ.

Subscribed and sworn to this 8th day of June, A. D. 1863, before me.

JACOB REED,
Justice of the Peace.

WASHINGTON CITY, *June 10, 1863.*

His Excellency ABRAHAM LINCOLN,
President of the United States:

DEAR SIR: Through your very kind favor I obtained on the 28th of November, 1862, from your Secretary of War an order by which the members of the Benedictine order were relieved from military duty, because, by the religious belief and doctrine of said order, it is unlawful to bear arms, and the monks are bound irrevocably to the order by solemn vows, and are thereby prevented from taking up arms, their mission being a mission of peace.

The poor brothers released by this order, and indeed all of us, will forever be grateful to Your Excellency for this favor. I had no doubt the same would hold good also for the impending draft, because it was expressed in general terms, specifying no number or time, and was coming from the highest authority in this country, and the very same reasons for which it was granted existing yet. However, I am told that the new conscription law made it void, and therefore I am compelled by duty and necessity to appeal again to you for protection, so much more as this time not only the brothers but also the priests and clergymen have been enrolled. Your well-known benevolence admits of no doubt that you would again help us, and certainly if you will you can do it.

Permit me, dear sir, to give you some reasons, which I trust will justify this humble petition:

First. I cannot believe that the law intends to press clergymen (of any denomination or religion) into military service, because as a general matter these men are very warlike indeed if the fight has to be done with their tongues or pens, but otherwise they keep at a good distance from danger, and what should the Government gain if some hundred cowards were in the Army? Then, if it had been the intention of the law to press us in the Army, it would not permit us to evade the draft by paying $300; and it is my firm belief you won't catch a single priest or preacher or minister of the Gospel, unless he could not afford paying.

This admitted, I can see no reason why the highest Executive could not let escape such whom the law did not intend to reach, and, consequently, I do think you can again grant us exemption; for whether we range under the warlike or under the cowards, we are not fit men for military service.

Second. Those learned men in Congress cannot well have been ignorant of the fact that nowhere and at no time among civilized nations ever a law existed by which clergymen or monks had been obliged to go to war. Indeed, in the middle ages we find sometimes bishops and abbots in war, but not in their clerical capacity, and only if they held lands from a sovereign. Congress, therefore, could not well have passed a law that is in contradiction with the feelings of the whole world; and this confirms me again in my belief that they did not intend to touch the persons of the clergy, but only their purse.

Third. If the law with regard to the clergy of all denominations does not intend to press them into the Army and to take them away from the pulpit and the altar, and if it be satisfied if they ransom themselves for a certain sum of money paid for the common good of the country, then I should think it would not make a very great difference whether the money has already been spent for the benefit of the country or shall be spent at the time of the draft. I mean to say if I had given last year all my fortune, say some thousand dollars, for charitable or religious purposes, not expecting or suspecting that I ever as a clergyman could be drafted, and if, nevertheless, I would now be drafted and had to go to war because I had not so much money any more to pay for my exemption, should the fact that I had given all my fortune for the best of the country not deserve any regard, and excuse me from the paying of the $300?

President, this is in fact the case with me. I am a good many years now living in this country. No necessity compelled me to emigrate; it was my own good and free will. I came to devote all I was and all I had to the moral and material aid of my countrymen. I had nineteen men with me when I arrived here, and a good many

more followed every year to join us in our trials, in our labors, and they were no trifles. I bought land and improved it (not for speculation); I built a college strictly for the poor, who have talent but little money or none at all to pay for their own education; took charge and care for orphans; gave shelter to the poor traveler (hundreds of them); established a female branch of our order for the same purpose in several places, from New York to Saint Cloud, in Minnesota, and Atchison, in Kansas, and from Chicago to Texas. I have collected not one cent from anybody in this country for these establishments, but I got every year $3,000 from Bavaria and some years $4,000 and $5,000 and $6,000 (from the ex-King of Bavaria, King Louis, alone more than $15,000). All this money and all that I could earn through the hard labor of my good confréres I have spent in this country for the benefit of this country, more so than I ought to have, for I run even in heavy debts. All my confréres who came over from Germany have done the same; have deposited their fortunes into our common stock, little or much as it was, unsuspecting, of course, that we ever could be disturbed in our peaceable and charitable pursuits, the least of all that we ever could be drafted into military service, such a thing being unheard of in the annals of Christian nations; and now the law says, Shoulder arms or pay; and I having spent all my own, all our common money, for the benefit of this country, I must now blushingly confess I cannot pay, I have no money, and the law then answers: Shoulder arms! Is there such law in this country?

Do we not deserve any regard on account of our money spent, though we have at present none to spare to pay the exemption? I do not like to boast or to glory, sir; I am ashamed that I am compelled to do it. I cannot be drafted, I am too old for that; but I must speak for those of my confréres who may be drafted.

Fourth. The question of conscience I will not touch. Suffice it to say that we cannot go in war unless we act in a grievous matter against our conscience.

These reasons I trust will justify this my humble petition for a new confirmation of the former grant or to obtain a new one for the impending draft. I have the English language too little in my power but that I could express myself so politely as I wished I could, and I must in this regard beg for your kind indulgence. But I ask your permission to suggest an idea that might be to the purpose. In the German States conscription is a regular thing every year, and no able-bodied young man is exempt from draft unless he buys a substitute. However, with regard to students of law, of medicine, and particularly of Divinity, exemptions are admitted in this way: These students are enrolled and drafted like other men of their age, but in order not [to] interrupt their studies, they are indeed kept on the list, but obtain furlough for an indefinite time. Thus the law is complied with and these young men are not avocated from their scientific employments. If there is no other loyal way to grant exemption for the members of the Benedictine order, I should think this way would not be objectionable.

But your kind sentiments and your experience in law and life will easily find means and ways in justice or in equity to put us out of trouble and conflict with our conscience. May God bless you for it.

I remain, sincerely, Your Excellency's most faithful and obedient servant,

BONIFACE WIMMER,
Abbot of Saint Vincent, Westmoreland County, Pa.

[Indorsement.]

JUNE 11, 1863.

Submitted to the Secretary of War.

A. LINCOLN.

[Inclosure.]

WAR DEPARTMENT,
Washington City, November 28, 1862.

Francis Patrick Kenrick, archbishop of Baltimore, and Right Rev. B. Wimmer, abbot of the Benedictine monastery, Latrobe, Pa., having represented to this Department that four of the "monks" of the order of Saint Benedict have been drafted into the military service of the United States; that by the religious belief and doctrine of said order it is unlawful to bear arms, and that the monks are bound irrevocably to the order by solemn vows, and are thereby prevented from taking up arms, their mission being a mission of peace, it is hereby ordered that the members of the Benedictine order are relieved from military duty.

By order of the Secretary of War:

C. P. BUCKINGHAM,
Brigadier-General and Assistant Adjutant-General.

GENERAL ORDERS, No. 173. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington June 11, 1863.*

To execute more promptly the provisions of General Orders, Nos. 105 and 130, from this Department, it is hereby ordered:

1. General Orders, No. 69, War Department, March 20, 1863, is hereby revoked, and the officers and enlisted men referred to therein shall be examined for admission into the Invalid Corps, and if found to meet the requirements of General Orders, Nos. 105 and 130, shall be transferred to the Invalid Corps in the manner prescribed in General Orders, No. 105.

2. That so soon as the rolls of officers and men for the Invalid Corps are made out (according to form furnished) they shall be sent by commanders of regiments, batteries, independent companies, and detachments, to the commanders of the army corps to which the persons named on the rolls belong.

Immediately on the receipt of these rolls the corps commanders, having examined and indorsed them in accordance with General Orders, No. 105, War Department, 1863, shall issue orders transferring all such officers and men to the Invalid Corps, and dropping them from the rolls of the active force, and will forward the rolls, with a copy of his order of transfers, to the Provost-Marshal-General at Washington. The previous military history of every officer and soldier will, as far as practicable, be stated on the invalid roll. Medical officers and chaplains will not at present be transferred.

3. That the rolls of men for the Invalid Corps, prepared by commanders of convalescent camps, commanders of invalid detachments, and medical officers in charge of hospitals or depots of convalescents, shall, as soon as made out, be forwarded to the Provost-Marshal-General direct.

4. That the commanding officers of the various army corps shall also direct that the men thus transferred be at once collected together by staff officers, and sent under charge of proper officers, with their descriptive list and clothing account, to the points designated below

for their respective corps. The arms and accouterments may be sent with the men or not, as the corps commander deems best.

Officers and men on the rolls sent from the army corps in the Army of the Potomac and Department of Washington will report to Lieut. Col. Samuel McKelvey, at the Convalescent Camp, near Alexandria, Va.

Those on the rolls sent from the army corps under the command of Major-Generals Banks, Hunter, and Foster will report to Col. R. Nugent, Sixty-ninth New York Volunteers, and acting assistant provost-marshal-general at New York City.

Those on the rolls sent from the army corps under the command of Major-Generals Dix and Keyes will report to Col. C. M. Prevost, One hundred and eighteenth Pennsylvania Volunteers, commanding depot camp at Harrisburg, Pa.

Those on the rolls sent from army corps in Kentucky and in the Department of the Cumberland will report to Maj. W. H. Sidell, at Louisville, Ky.

Those on the rolls sent from the army corps under the command of Major-Generals Grant and Schofield will report to Col. E. B. Alexander, at Saint Louis, Mo.

Commanders of army corps will notify the Provost-Marshal-General, by the most expeditious means of communication, when detachments of invalids are directed to leave the corps in compliance with this order. The monthly returns of regiments and independent commands will state the number of officers and men transferred to the Invalid Corps, and corps commanders will consolidate and enter this information in their monthly returns to the Adjutant-General's Office.

Hereafter in giving discharges to officers and soldiers on account of disability, their discharge papers must always state whether at the time of discharge the officer or soldier was or was not physically suitable to enter or re-enlist in the Invalid Corps.

So much of General Orders, No. 105, from this Department, as forbids the "discharge of any man upon surgeon's certificate of disability who may be fit for service in the Invalid Corps" is so far modified as not to include officers.

5. That no commissioned officer in the Invalid Corps will receive a higher commission for the present than major. The claims to higher grades will be duly considered as the organization of the corps progresses.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

NOTICE.] WAR DEPARTMENT,
PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., June 11, 1863.

The following will be published as a handbill, or notice, by every district provost-marshal, with such alterations as he may think particularly suited to his district, the object being to hasten and encourage enlistments in the Invalid Corps.

JAMES B. FRY,
Provost-Marshal-General.

MEN WANTED FOR THE INVALID CORPS.

Only those faithful soldiers who, from wounds or the hardships of war, are no longer fit for active field duty will be received in this corps

of honor. Enlistments will be for three years unless sooner discharged. Pay and allowances same as for officers and men of the U. S. infantry; except that no premium or bounty for enlistments will be allowed. This will not invalidate any pensions or bounties which may be due for previous services.

The following uniform has been adopted for officers and men of the Invalid Corps:

For officers.—Frock coat: Of sky-blue cloth, with dark-blue velvet collar and cuffs; in all other respects, according to the present pattern for officers of infantry.

Shoulder straps: According to present regulations, but worked on dark-blue velvet.

Pantaloons: Of sky-blue cloth, with double stripe of dark-blue cloth down the outer seam, each stripe one-half inch wide, with space between of three-eighths of an inch.

Forage cap: Present regulation.

For enlisted men.—Jacket: Of sky-blue kersey, with dark-blue trimmings, cut like the cavalry jacket, to come well down on the abdomen.

Trowsers: Present regulation, sky-blue.

Forage cap: Present regulation.

Men who are still in the service and unable to perform effective field duty may be transferred to this corps.

Medical inspectors, surgeons in charge of hospitals, military commanders, and all others having authority to discharge, under existing laws and regulations, are forbidden to grant discharges to any men under their control who may be fit for service in the Invalid Corps.

For the convenience of service the men will be selected for three grades of duty. Those who are most efficient and able-bodied and capable of performing guard duty, &c., will be armed with muskets and assigned to companies of the First Battalion; those of the next degree of efficiency, including those who have lost a hand or an arm, and the least effective, including those who have lost a foot or leg, to the companies of the Second or Third Battalion. They will be armed with swords.

The duties will be chiefly to act as provost guards and garrisons for cities, guards for hospitals and other public buildings, and as clerks, orderlies, &c. If found necessary they may be assigned to forts, &c.

Acting assistant provost-marshals-general are authorized to appoint officers of the regular service, or of the Invalid Corps, to administer the oath of enlistment to those men who have completely fulfilled the prescribed conditions of admission to the Invalid Corps, viz:

1. That the applicant is unfit for service in the field.
2. That he is fit for the duties, or some of them, indicated above.
3. That, if not now in the service, he was honorably discharged.
4. That he is meritorious and deserving.

For enlistment or further information apply to the Board of Enrollment for the district in which the applicant is a resident.

STATE OF INDIANA,
OFFICE ACTG. ASSISTANT PROVOST-MARSHAL-GENERAL,
Indianapolis, June 11, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: I regret to inform you that two of the officers employed in carrying out the enrollment act were murdered yesterday in

Rush County, in the Fourth Congressional District of this State. The facts, so far as known and reported to me by the provost-marshal of that district, are as follows:

On Tuesday last one of the enrolling officers of Rush County was fired upon from the woods while in the performance of his duties, and returned to the headquarters of the district and reported the fact to the provost-marshal, who proposed to send one of his deputies and a squad of men with the enrolling officer to the same neighborhood where the firing took place. Mr. John F. Stephens, one of the deputy marshals for the district, advised, however, that it would be better not to send any force and proposed to go himself, taking with him only one or perhaps two detectives and the enrolling officer. He expressed the opinion that the shooting was done not with the intention of taking the life of the officer, but for the purpose of intimidating him, and insisted on going without any other assistance than that before mentioned.

The provost-marshal agreed that the course advised by Mr. Stephens should be pursued, and accordingly on Tuesday morning he started with the enrolling officer, and I think two detectives. Mr. Stephens and one of the detectives traveled in a buggy and the enrolling officer and the other detective were on horseback.

Yesterday about noon, in the same neighborhood in which the previous shooting had taken place, the party came to a house situated a short distance from the road. The enrolling officer dismounted and went into the house and was making inquiries as to the persons residing there subject to enrollment, when some ten or twelve men rose from their place of concealment in a wheat field and fired upon the two men in the buggy, killing Mr. Stephens immediately and mortally wounding the other man, whose name was Craycraft.

The provost-marshal of the district was on his way to Indianapolis when he was informed of the murder, and after satisfying himself of the truth of the report he came to this city and reported the facts to me. I immediately went with the provost-marshal to see Brigadier-General Willcox, commanding this district, and submitted the facts to him. I also had an interview with His Excellency Governor Morton. The result was that General Willcox immediately detailed two companies of infantry and one company of cavalry to repair with the provost-marshal to the scene of the outrage, protect the enrolling officer, and arrest the perpetrators of the outrage if they could be discovered. This military force started with the provost-marshal last evening.

General Mansfield, of the Indiana militia, a man of great influence and much prudence, at the request of the Governor, accompanied the expedition, with directions to call out any available militia in the district if necessary.

The Governor suggested to me that the leaders of the opposition to the Administration could control those men of their own party who either were, or were in danger of, placing themselves in an attitude of resistance to the Government, and that it was my duty to invite a few of the most prominent of these leaders to meet me, and, when assembled, should explain to them the outrage committed in Rush County, and tell them that the peace of the State was in a great measure in their keeping, and insist upon their exerting their influence in favor of the enforcement of the laws. I acceded to the Governor's suggestion and invited Hon. T. A. Hendricks, Senator in Congress; Hon. S. E. Perkins, judge of the supreme court of this State; Joseph

Restine, esq., treasurer of this State; J. S. Athon, esq., State auditor; A. L. Roach, esq., and Thomas Dowling, esq., prominent and influential Democrats, to meet me at my office last evening.

They all responded to the invitation, and the Governor met with us. After informing them of the murders committed in Rush County and the indications of armed resistance at other points in the State, the Governor and myself both informed them that it was their duty as good citizens and as the representative men of their party to counsel obedience and submission to the laws, and to put forth all their influence to prevent resistance to the Government authorities.

They all professed an entire willingness to do this; said they would publish an address to the people to that effect, and expressed a willingness to visit the disaffected localities and address the people if it should become necessary. They at the same time said that the enrollment act was misapprehended, and that, owing to the conduct of certain Republicans in threatening that the Democrats would be drafted, great fears were entertained that the draft would not be fairly made, and that if I would make a statement of the main features of the enrollment act and of the manner in which the drawing would be conducted, it would do much to remove these apprehensions. I informed them that I had no objections to doing this, but I was satisfied that it would never reach the class of people sought to be influenced, and if it did reach them, would not be believed unless leading Democrats in opposition to the Administration would indorse my statements by expressing their confidence that the draft would be fairly and impartially made according to the requirements of the act.

They expressed a willingness to indorse my statements, and accordingly I this morning prepared a letter addressed to the leading Democrats before named, setting forth the main features of the enrolling act, explaining how the drawing was to be conducted, and telling them that they might assure the people not only that the drawing would be conducted with entire fairness, but in such a manner as to preclude all suspicion of dishonesty. I submitted the letter this morning to the gentlemen to whom it was addressed. They expressed themselves as entirely satisfied with the communication, desiring me to add, however, that I would, as far as practicable, be present at the drawings. I made the addition, and they are to publish in the Democratic papers my letter, with their address, indorsing my representations.

I suppose the letter and address will appear in the morning papers of to-morrow, and when it appears I will send you a copy of both. In all this Governor Morton fully concurred.

Since writing the foregoing I have received information from Rush County (not official, however) that the provost-marshal of that district has arrested two men charged with the murder committed yesterday, and that the circumstantial evidence of their guilt is strong; also that the enrollment is quietly progressing in the sub-district in which the murder was committed, the people affording every facility in their power to insure its speedy completion. The military have orders to remain with the provost-marshal until the enrollment is completed in that sub-district.

I have the honor, colonel, to be, very respectfully, your obedient servant,

CONRAD BAKER,
Acting Assistant Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., June 11, 1863.

Capt. GEORGE EYSTER,
Provost-Marshal Sixteenth Dist. of Pa., Chambersburg, Pa.:

Yours of 8th instant received. I hope you have required Mr. Ickes to proceed with the enrollment. He should not be permitted to resign unless you think he is too much intimidated to execute the duty. If it was necessary, both he and the enrolling officer for Saint Clair should have been supported by troops from Carlisle.

Do not allow your officers to be obstructed or driven off. Hire special guards (citizens) if necessary. If these are not strong enough, employ military force, and when you use this do it with effect.

Abuse from women and the like is to be expected and is not generally serious. If, however, they should assault or seriously obstruct the enrolling officers, they must be arrested.

JAMES B. FRY,
Provost-Marshal-General.

CHAMBERSBURG, *June 11, 1863.*

Col. JAMES B. FRY:

Your dispatch received. Bedford County continues disturbed. An enroller shot yesterday. Assailant not known. Very little open resistance. Demonstrations confined to this assassination and acts of incendiarism intended to intimidate. An exhibition of force could do little besides quiet public apprehension. I have permitted resignations only because I believed officers effectually intimidated. I shall direct the employment of special citizen guards.

GEORGE EYSTER,
Provost-Marshal Sixteenth District.

WASHINGTON CITY, *June 11, 1863.*

His Excellency EDWIN M. STANTON,
Secretary of War:

DEAR SIR: You have been so kind to grant me exemption from draft for the members of the Benedictine order (November 28, 1862), for which I always will be grateful to you.

The new conscription law makes it doubtful whether that grant holds good yet, though I believed it would, because it came from the highest authority in the Union and was given in general terms. But as the reasons from which I petitioned in November for exemption are as strong now as they have been at that time, and, indeed, in several regards more forcible, it is my duty again to represent my situation and to beg for relief. The new law presses harder on the Catholic clergy in general than on the clergymen of other denominations, because the Catholic clergymen are not married, and the other ones very generally are married.

But the law presses heavier yet on the religious orders, and particularly on the Benedictine order, so that many Catholics consider it as a measure in a special manner hostile to the religious orders. Howsoever that may be, I myself do not blame the Government for

it. I am fully confident the President and Your Excellency will do all in your power to show that you would in no way lay heavier burdens on the shoulders of some citizens than of others. The law is hard on religions, because it is in contradiction with their vows, with their vocation, with their entire condition of life. This is not a mere caprice, dear sir; it is a moral axiom and always has been, not only with Catholics, but also with every other denomination. It is part of the international law, of the law of all nations of the Christian world. The clergy has nowhere an obligation or a right to go to war, and in the Catholic Church such clergymen who would go to war are *ipso facto* made unfit to exercise their holy functions; so much worse is their condition if they happen to be members of a religious order. Therefore we are surely in a very bad difficulty if law commands us to take up arms. This is plain.

But besides this moral point of the question there is also a material point, under which the law strikes a hard blow at the religious orders. I am not authorized to speak for religious orders in general, and do not pretend to speak for all, but I beg leave to explain my own case.

The Benedictine order consists of brothers, clergymen in minor orders, and priests. These classes of monks are bound by the very same vows, but they have different occupations. The priests are either pastors of congregations or professors in colleges. The younger clergymen in minor orders are partly finishing yet their own education; partly teaching languages, such as Latin, Greek, &c., or other branches, according to their talent and efficiency. The brothers do the housework (since we have no females in our houses) and tend to different trades necessary or useful for our institution. Of course not more are admitted than needed, and therefore scarcely any one can be spared, because all are needed. Take the cook, the baker, the gardener, the miller, the engineer, the blacksmith, the mechanic from among us, and you do us the very greatest harm. Another man may easily fill out such a post with another good hand, but with us this won't do, because we could hardly find a man who is willing to live according to our rule, which is rather severe, and then we are obliged to work gratuitously without wages, a thing that men don't like to do. So if I had to give up one of these young clergymen who teach in the college our Latin scholars, or mathematics, &c., they could in another college easily be replaced by another good teacher, but with us it is the same difficulty as with the brothers. We need one who follows our rule and makes no charges, and such are difficult to be found.

Of course if I say we work gratis, we get no wages, one might infer that the order then must be very rich, because every one tries to earn something, though he is forbidden by his vow to keep his earnings for himself. If this were the case, sir, if the order were rich, I should not trouble you with a petition for exemption, for the law admits of exemption by paying $300. I would pay then for such who might be drafted. However, we are not rich. We own a good property, it is true, but we have a heavy debt of nearly $30,000 on it. We are a charitable corporation, incorporated by an act of Legislature 19th of April, 1863, for the purpose of tending to sick, destitute, and dependent persons, the care of orphans, and the education of youth. We have done our duty in this regard as well as we could. To give you only one proof of it, I can show that this year the number of pupils in our college at Saint Vincent amounts to over 130 and the *boutto* income from all of them amounts to but $4,000, so that an average pension for one pupil is $30. Who could keep a boy or young man in boarding and tuition per year for $30? It is true, many paid a pen-

sion of $100 besides the extra, but far the majority paid little, and many nothing at all, and I had yet to find the stationery and even clothing. By doing such charity we can, of course, not accumulate wealth. It requires the greatest energy and economy from all of us to bear such a burden, and indeed our regular income would not be sufficient had I not help from Europe—from my old country—to cover the deficit in our budget. I could prove officially that these seventeen years for which I am in the United States I regularly received annually $3,000, and several years more—$4,000, $5,000, and $6,000. All this money, sir, has been spent for the benefit of this country, and likewise all the money that every one of us had when he joined the order was laid down in the common stock, all of which is devoted to works of charity. Besides this we have improved our property very much, increased our taxes and aided others in their improvements. I mention this only to show that we have done our duty as citizens in a manner which is creditable and by which we could not get wealthy. We might be a wealthy corporation had we acted in our own interest, but as we did not so we are not.

Our Congressmen cannot well have been ignorant of the fact that clergymen are not liable to draft, for history has no such law or record in no Christian country. I must presume, therefore, they did not intend to draft the clergy, but to make them pay. They could easily foresee that no clergyman would take up arms, but would ransom himself by paying the $300.

But monks do not enjoy this privilege because they are not allowed to have money or own property. They cannot pay, and consequently if drafted are obliged to go to war or to fall under the penalty provided by the law for not complying with it. The superior of a religious community may be looked for as to redeem his confrères from duty by paying the sum required by law. But in a large community this is not practicable; if many would be drafted the community or the superior is not able to afford it. This is particularly the case with the Benedictine order, as I have explained above. We are not prepared for it; we spent our own fortunes, our earnings, the liberal contributions of our friends in Germany, for the benefit of this country; we run even in heavy debts in order to do charity; therefore we cannot pay without increasing our debts very considerably and risking the existence of the whole institution. It is then true that the conscription law as it reads strikes a hard blow at all religious communities and particularly at ours.

I admit this was not intended, but it is the fact nevertheless, and it is in this regard partial, not only with regard to the clergy of other denominations, but also with regard to the people at large. In September last four brothers were drafted (too many it appeared in proportion) when only citizens came under the draft. This time the half-citizens and priests range under the law; therefore, ten or twelve or more might be drafted. How could I afford to pay $3,000 or $4,000 for their exemption? I doubt not all the half-citizens will sooner leave the country than to come in conflict with their consciences and be drafted in the Army. Of course this will be equal to a dissolution of the order, and will, at all events, have the consequence that we must stop our charities—certainly not to the advantage of the country.

Now, sir, what I said here is the full truth. It is not said as a pretext to evade the law or to be an excuse for not being obliged to pay. We suffer under the law not like all other clergymen; it works

heavier on us—heavier even than on the people at large. Our whole existence as a corporation is at stake—is threatened.

This is the reason why I am compelled again to appeal to your justice and generosity for relief. I have yesterday already addressed the President in a similar, though shorter, petition. My reasoning is this: The law does not, it cannot, reach the clergy (of all denominations) for the draft. Such a law would be in contradiction with the international law of all Christian nations. It would be not an anachronism, because such a law never existed, but a monster; for the clergy is not the sword, but the word and the word not in politics.

The law from one reason or other was extended to the clergy, to make them pay, and every clergyman was expected to be willing and able to pay; more can the law not have intended. Therefore, if a clergyman were found not be able to pay the law would not in equity touch him. It did not want him or his person, but his money, and if he had no money of course it could get none. Catholic clergymen, of course, should enjoy the same privileges as all others. Monks, whether they are brothers or priests, belong to the Catholic clergy. If my supposition is correct, the law won't draft them, but wants their ransom. Well, if they can pay they may; but if they have no money to pay the law could not expect the pay, in regard of the services done by them to the commonwealth in general. I do not think this is sophistry. I have brought in this country over $60,000. I have spent these $60,000 for the benefit of country. Is that sum not enough to pay our ransom?

Allow me, dear sir, to direct your attention to another point. The law evidently makes provisions that through the draft no family should be ruined. Therefore it leaves the father with his orphan children; the only son with his widowed mother; the brother with his orphan little brothers and sisters to support them, &c.

A religious community is also a family of which the superior or abbot is the father. Can the law be presumed to have intended to ruin the religious family by taking away her ablest members or exacting such a large amount for redemption that it must be dissolved and annihilated, whilst it is so careful not to ruin the private family? I think not.

What do I infer or try to prove by this reasoning? That the President and you, as Secretary of War and the highest executive officer of the law, have a right and are competent to explain the law and its bearing where it is not distinct enough, and to avert its consequences when they might on this account become unequal. I judge, then, that you can again grant exemption to the members of the Benedictine order, because they have sacrificed, every one of them, all their fortune at the altar of our country long ago, before the country asked for it; and as clergymen you want them at any rate not in military service; or because by drafting or exacting the redemption amount from them you would bring the whole order to ruin.

If you believe my report to be true, you can do it undoubtedly, and if you doubt the truth of it, I can prove it by my books or in an official manner in the possible shortest time through the consul of the King of Bavaria. And as I believe you can, I expect most confidently you will do it because of your just and generous character. But should you think you could not approve of the soundness of my reasoning—I understand canon law, but no other law—then allow me to suggest an idea how the matter could be settled without any embarrassment. In several of the German States where conscription is universal all young men are being drafted every year, mostly at the

age of twenty-one years. With regard to students of law, of medicine, and divinity, the law makes, indeed, no exemption; they are drafted like all other young men, but as soon as they are drafted they get also furlough for an indefinite time. Their names, indeed, appear on the list of the company into which they have been ranged, but always as on furlough, till they have finished their education and become lawyers, or physicians, or clergymen, and then they are entirely free from service. Thus the law is satisfied and these young men are not interrupted in their studies, for in Germany it takes twelve years ere a young man can become a lawyer, or doctor, or clergyman. Now, there is nothing in the world to prevent you from giving furloughs to a soldier. If there should be no other legal way to exempt my people from draft they could, after the draft, again be dismissed with furlough for an indefinite time, *i. e.*, in fact for the time till the law will be amended; for a long time the drafting of the clergy will at any rate not do.

Excuse my liberty in making these suggestions. I will not be intrusive in no way. I am well aware that this matter is of a delicate nature and that serious interests are concerned. But it is a point of life or death for the religious community which is trusted to my care, and I would fail to my duty would I not do everything in my power to guard their interests.

We are and always have been loyal citizens. I believe it would be too hard if we should not enjoy all the privileges which other good citizens share.

I remain, with the sincerest regards, Your Excellency's most obedient servant,

BONIFACE WIMMER,
Abbot of Saint Vincent, Westmoreland County, Pa.

CIRCULAR No. 22. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., June 12, 1863.*

I. The "designated rendezvous" at which all persons drafted into the service of the United States are required to report, under section 12 of the "Act for enrolling and calling out the national forces," shall be the headquarters of the provost-marshal's district in which they shall have been drawn in the draft.

II. Provost-marshals shall arrest and send to the nearest military post all stragglers from the Army: men who may have left their commands, sick or with leave, and whose authority to be absent has expired, though they may not have left with the intention of deserting.

They will be furnished with transportation and reported on the provost-marshal's monthly and tri-monthly returns in the same manner as deserters, but with proper explanatory remarks in each case.

III. The monthly pay of members of the Board of Enrollment is as follows:

	Pay proper.	Servant.	Clothing for servant.	Subsistence.	Subsistence for servant.	Total.
Provost-marshals	$70.00	$12.00	$2.50	$36.00	$9.00	$129.50
Surgeon and commissioner	53.33	12.00	2.50	36.00	9.00	112.83

The accounts for pay will be made on the forms furnished by the Pay Department.

IV. Accounts made out on any of the following forms, viz, 3 or 4, or 11 to 24, inclusive, must not be sent in the same envelope with returns and reports, but should be inclosed in a separate letter of transmittal, enumerating the accounts, and referring to no other subject.

Quarterly returns (Forms 7, 8, 9 and 10) are also to be sent each in a separate letter of transmittal, at the end of each quarter, viz, 30th June, 30th September, 31st December, and 31st March.

Envelopes inclosing the above accounts, and quarterly returns, should be indorsed "Disbursements under the enrollment act." Vouchers (Forms Nos. 11 to 18) are to be indorsed on the first fold with the number, station, and date; the second or center fold must not be written upon.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 23. WAR. DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., June 12, 1863.*

I. Paragraph 28, page 6, Regulations for the Government of the Bureau of the Provost-Marshal-General of the United States is hereby amended so as to read as follows:

Every possible effort must be made by the provost-marshal to secure the arrest of all deserters within his district. He shall see that they are securely held after arrest, and that all deserters arrested by other parties and presented to him, or at his headquarters, are promptly received and held in secure custody until delivered to the commanding officer of the nearest military post or station.

II. Paragraph 29, page 6, of the same regulations, is amended so as to read as follows:

A reward of $5 for the apprehension and delivery of a deserter to the nearest provost-marshal, or deputy provost-marshal, together with the expenses necessarily incurred in his delivery, will be paid by the nearest disbursing officer of the U. S. Quartermaster's Department. This reward is, of course, only due when the man presented is actually a deserter. It is, however, ordered that the provost-marshal shall decide whether the reward will be paid or withheld; and he is directed to permit as little delay as possible in making this decision, in order that persons who bring deserters may receive the reward promptly.

III. Paragraph 31, page 6, of same regulations, is amended so as to read as follows:

Provost-marshals shall keep books, in which they shall enter the descriptions of all deserters, spies, and other persons received as prisoners by them, with such dates and remarks as may be proper to complete, as far as practicable, the history of the arrest and of the man. They shall also keep such other books as may be necessary to preserve a complete history of their correspondence and business. Provost-marshals will purchase these books and forward the accounts to the Provost-Marshal-General for payment, as hereinafter provided.

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
June 12, 1863.

Col. CONRAD BAKER,
Acting Assistant Provost-Marshal-General, Indianapolis:

Is the report of difficulty in Rush County true as given in the papers? Give me the facts and state what action has been taken.

JAMES B. FRY,
Provost-Marshal-General.

INDIANAPOLIS, *June 12, 1863.*

Col. JAMES B. FRY:

It is true that one officer was killed and another mortally wounded. The murder was committed by only two men ambushed in a wheat field. Two companies of infantry and one of cavalry were immediately sent with district provost-marshal, under judicious officers. Two men have been arrested, and there is strong circumstantial evidence of their guilt. [All] is now quiet. Enrollment in that region progressing peaceably. The military will remain there until it is completed. Letter by mail.

CONRAD BAKER,
Acting Assistant Provost-Marshal-General.

STATE OF INDIANA,
OFFICE ACTG. ASSISTANT PROVOST-MARSHAL-GENERAL,
Indianapolis, June 12, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: Since telegraphing you to-day three men charged with the murder in Rush County were brought to this city by provost-marshal of the Fourth District and surrendered to the U. S. marshal.

Affidavits have been filed with the district attorney charging them with obstructing the enrolling officer. I suggested to the district attorney that affidavits charging them with murder should be prepared, so that if they give bail in the Federal court they may immediately be arrested for murder on process issued by State tribunal.

Craycraft, one of the men who was shot and said to be mortally wounded, is still living, and I understand there is hope of his recovery.

The enrollment has been completed in the sub-district in which the murder was committed. The danger was that the truly loyal citizens would take the law in their own hands, but moderation prevailed, and I hope the danger from this quarter has ceased to exist.

I have the honor to be, colonel, very respectfully, your obedient servant,

CONRAD BAKER,
Acting Assistant Provost-Marshal-General for Indiana.

PROVOST-MARSHAL'S OFFICE,
NINTH CONGRESSIONAL DISTRICT, STATE OF NEW YORK,
New York, June 12, 1863.

Col. JAMES B. FRY,
Prov. Mar. Gen. of United States, Washington, D. C.:

SIR: I take the liberty to inclose to you herewith a report of a case under the enrollment act decided yesterday by U. S. Commissioner

Osborn. No specific instructions upon the point involved, other than may be found in the act or in the regulations, have been received by me. This decision, however, it seems to me, cannot be sustained. No man possessed of ordinary sense would thus construe the act in question. But the decision is likely to cause me a great deal of trouble, and if followed will to some extent nullify the law. Very few desire to be enrolled, and if the law officers of the Government sustain Commissioner Osborn in his construction of the act, then those only will be enrolled who are sufficiently loyal to furnish the enrolling officer with the information he is obliged to seek.

I have the honor to remain, very respectfully, your obedient servant,

CHAS. E. JENKINS,

Captain and Provost-Marshal, Ninth District of New York.

[Indorsement.]

OFFICE ACTING ASST. PROVOST-MARSHAL-GENERAL,
SOUTHERN DISTRICT OF NEW YORK,
New York, June 12, 1863.

Respectfully forwarded, and attention requested to special communication on the subject of this date.

ROBERT NUGENT,

Col. Sixty-Ninth Regiment N. Y. Vols. and A. A. P. M. G.

[Inclosure.]

U. S. COMMISSIONER'S OFFICE,
June 11, 1863.

Before Commissioner Osborn—Resisting an enrolling officer—The United States against Michael Briody.

Defendant was brought before the commissioner on the charge of resisting and obstructing an enrolling officer, by refusing to give his name and the names of other persons.

R. D. Tompkins, a witness, testified as follows:

I am enrolling officer in the Third Congressional District, State of New York; Stephen B. Gregory is the provost-marshal of the district; I was appointed by Stephen B. Gregory an enrolling officer; entered upon the discharge of my duty about one week ago; my duty is to enroll all the names in the district between the ages of twenty and forty-five; the way I perform my duty is by going into houses, stores, &c., and inquiring of persons within to give me the names of all persons living there; I am instructed so to do by the provost-marshal. Last Saturday, about 10 o'clock, I went into the store No. 68 Front street, Brooklyn; I saw no one in but the defendant; I asked him to give me the names of all persons in the store, that I was the enrolling officer. He said the boss was over in New York. Then I asked him for his name. He said he didn't belong there; he said he was only stopping there while the boss was over to New York, and that he (defendant) lived in New York. I made a note of it in my diary, and called on Monday about 11 o'clock and found defendant in the store again; I repeated my question for the names of the persons employed there. He said that the boss was out; that he didn't work there, and then he (defendant) asked a man in the store where the boss was. The man said, "What boss?" Defendant said, "Boss of the store." Defendant would not give me his name or the names of the persons employed there. This morning I went to No. 17 York street with Officer Sprague and found defendant upstairs eating his breakfast. I asked him if he lived there; he said he boarded there.

George Sprague testified as follows:

I was sent by Provost-Marshal Gregory to No. 17 York street this morning to get the name of the defendant, and I saw defendant upstairs taking his breakfast. I asked him if he was the gentleman that lived there. He said he boarded there. I told him I wanted his name and residence, and he said he would give it to me when he got ready. I asked him two or three times over and he would give me no satisfaction. I then asked the woman in the room, and she said she would

not give anybody's name. Mr. Tompkins made complaint to Captain Gregory, and he issued a warrant for his arrest. I served the warrant about 10 o'clock. After I arrested him he gave me his name as Michael Briody. I was directed to bring him to the U. S. marshal's office.

COMMISSIONER'S DECISION.

The commissioner held that the provisions of section 25 of the act of March 3, 1863, under which the defendant is arrested, did not apply to the enrollment or to any of the proceedings connected therewith; that the section had reference to the execution of the draft after the enrollment shall have been completed; that the enrollment is a preliminary step to a draft, and is a separate and distinct act of itself; that no draft has been ordered by the President, and all proceedings connected with the act of enrollment are detailed and specified in the orders issuing from the Secretary of War.

The commissioner was of the opinion that the section referred to did not clearly express the intent and meaning of the act, and that the clause, "or shall assault or obstruct any officer in making such draft, or in the performance of any service in relation thereto," as he interpreted and understood it, had reference only to the proper execution of the draft itself.

The commissioner further observed that the conscription act was another sad evidence of the immature deliberations and incomplete legislation of our law-makers, and regretted that its provisions were not more explicit.

The commissioner said that he was but performing an act of justice, as he understood the law and the offense charged, in ordering the accused to be discharged from custody.

Defendant discharged.

COLUMBUS, OHIO, *June 12, 1863.*

Hon. E. M. STANTON:

A sense of duty compels me to renew my application for an increase of the Governor's Guard to a full regiment. The peace and quiet of the State require it.

DAVID TOD,
Governor.

COLUMBUS, OHIO, *June 12, 1863.*

Brig. Gen. J. D. COX:

I think it advisable, if not indispensably necessary, that a force of at least two hundred men be stationed at Mansfield to secure order and quiet during the enrollment and draft.

DAVID TOD,
Governor.

OFFICE ACTG. ASST. PROV. MAR. GENERAL OF OHIO,
Columbus, Ohio, June 12, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I have the honor to report that in Morrow County, Eighth Congressional District, the enrolling officers have met with armed resistance; that four of the principal insurgents have been

arrested and turned over to the U. S. attorney for the Northern District of Ohio, and a small force of men sent to go with the enrolling officer through the disaffected district for his protection; that in Crawford County, of the Ninth District, the enrolling officers were mobbed, and a company from Johnson's Island has been sent to the district marshal to make arrests, &c.; that in Holmes County, of the Fourteenth District, four persons arrested for assaulting the enrolling officers were violently rescued from the hands of the marshal by an armed body of about seventy men; that in Knox County, of the Thirteenth District, the enrolling officer of one township was threatened to the extent that he was obliged to resign, and that a squad has been sent to accompany his successor through the township.

It will be seen by reference to the map that all these form a contiguous territory of which Mansfield is the center, and I have thought it best to send a force of 150 men to that point to remain until the enrollment shall be finished, believing that the near presence of troops may deter any outbreak.

I have also instructed the marshals of these different districts, if it becomes necessary, to call on the commandant of this force for troops to protect their agents in making the enrollment, but to attempt no arrests unless for open resistance.

These troubles will undoubtedly delay the completion of the enrollment.

I have reports from all but four districts, and as soon as these are received will formally report the result as to the anticipated completion of the enrollment.

So far it runs from the 20th instant to the 1st proximo.

Respectfully, your obedient servant,

E. A. PARROTT,
Colonel First Ohio Volunteers and A. A. P. M. G. for Ohio.

[JUNE 12, 1863.—For proclamation of Governor Curtin, of Pennsylvania, calling for troops, see Series I, Vol. XXVII, Part III, p. 79. For correspondence relating to organization of troops and other affairs in the Departments of the Monongahela and the Susquehanna, see Curtin to Stanton; Stanton to Couch; Stanton to Curtin; Brooks to Stanton, Series I, Vol. XXVII, Part III, pp. 76–77.]

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, June 12, 1863.

GOVERNOR OF PENNSYLVANIA,
Harrisburg, Pa.:

SIR: I have respectfully to acknowledge the receipt of your telegram of yesterday in reference to your State receiving credit for such colored troops from the State as may be enlisted.

In reply I have to inform you that the State will receive credit for all enlistments of colored men who may be mustered into the U. S. service as Pennsylvania troops under the authority of the War Department. No credit can be allowed for individuals who leave the State and are mustered into organizations elsewhere. All such will be credited to the State to which the organizations may belong.

I am, sir, &c.,

J. B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL'S OFFICE, TENTH DISTRICT OF PA.,
Pottsville, June 12, 1863.

Col. JAMES B. FRY,
Prov. Mar. Gen. of the United States, Washington, D. C.:

DEAR SIR: Last night the court of common pleas of Schuylkill County, now in session here, upon a batch of affidavits detailing circumstances connected with the arrest of Abraham Bressler on the 9th instant, issued a bench warrant against Deputy Gane, Special Assistant James Bowen, and four of the guard who were along, describing but not naming them. To-day I understand another bench warrant was issued against the two drivers of our carriages. The sheriff arrested Gane late this afternoon and the court held him to bail in the sum of $5,000 to appear for a hearing at 10 o'clock next Monday morning. The others will doubtless be arrested—all of them who can be—to-morrow. I need legal aid in this emergency, and I have called on Christopher Loeser, esq., and Hon. James H. Campbell to give it. I shall be pleased to have your approval of my doing so in behalf of the Government. Lieut. John K. Brooker has to-day been relieved of his duties here and ordered to return to Philadelphia with thirteen of the men he brought up, leaving Sergeant Parks and six men still here. He goes down with the thirteen men to-morrow morning. The small guard left here will not enable me to make any arrests if I should have occasion to. The Governor of Pennsylvania has intrusted 200 muskets to the county commissioners of Schuylkill County, and they had put them into the hands of two volunteer companies in this town. Day before yesterday one of the commissioners notified the captains of those companies to return the muskets. If returned, they are put into the custody of the sheriff of the county. Two of the three commissioners and the sheriff oppose the Government and the war. The third commissioner, who is thoroughly loyal, told me this afternoon that this recall of arms was not done by a resolution of the commissioners and had been made without his knowledge.

It may be proper for me to tell you also that the presiding judge and the two associates of this court all rabidly oppose the war. The presiding judge rejoiced over Banks' retreat up the Valley of the Shenandoah and sorrowed publicly over the death of Stonewall Jackson. With all these adverse sympathies and authorities we are prepared here to see heavy bail required and for almost any other conduct, and we may be overborne in any sudden outbreak.

I shall look for Captain Wren to aid me when he comes home with authority to raise a cavalry company, and as soon as he can. I will tell you further how much I may expect from him as soon as he gets here.

Very respectfully, yours,

C. TOWER,
Provost-Marshal.

HDQRS. PROVOST-MARSHAL, TWENTY-FOURTH DIST. OF PA.,
New Brighton, June 12, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General of the United States:

SIR: I have the honor to make the following report as to trouble in Greene County, of this district, as you are already advised. On the 5th instant I received information of resistance being made to the

enrolling officer of Dunkard Township, Greene County, and the suspension of enrollment therein. I at once went to Pittsburg and made requisition for twenty-three men under command of a competent officer, which the commander of the post, Captain Churchill, promptly furnished; and that afternoon I proceeded, accompanied by the military force under command of Captain Hays, to Greensborough, on the Monongahela River, in Greene County. When we left the steamboat and proceeded to Davistown, in Dunkard Township, I took every precaution to prevent notice of my movement from preceding me, but the slow progress men on foot could make rendered this unavailing, and the ringleaders of the resistance I found had fled. I ordered the enrolling officer to commence enrolling, which he did, and the first two men he attempted to enroll refused to give their names or ages. I at once arrested them and placed them under guard. The citizens of the place on learning of the arrests came forward voluntarily and gave their names, and in a short time the village, a small place, was all enrolled.

I remained there that night hoping to arrest the men who had created the trouble, but was unsuccessful. The next day I procured transportation to Waynesburg, eighteen miles, and on the following day, about dark, took a party back to Davistown, where I arrived about midnight and surrounded the houses of the leaders of the resistance, but found them still absent—said to have gone to Virginia. The facts of the difficulty are these: No enrolling officer could be obtained in the township and a citizen of another had to be appointed. When he went into the township he spent a whole day without obtaining a name, and toward evening he entered a store in Davistown where there [were] a number of men, increased soon after his entrance, who gave him three minutes to leave the township or they would hang him, getting a rope for the purpose. He accordingly left. The two prisoners arrested had a writ of habeas corpus issued for their release. Judge Lindsey of this district decided that refusal to give name or age was obstructing an officer, and the arrests were properly made. I arrested five deserters or made the leading citizens of the county irrespective of party, Judge Lindsey, J. A. Buchanan, and other leaders. War Democrats informed me that the promptness with which a military force had been brought upon the ground of resistance had been attended with the happiest results, and that no further trouble need be anticipated. I cannot refrain from commending the zeal shown by Captain Churchill, commander of the post of Pittsburg, and Captain Wright, provost-marshal of the same, in furthering my wishes with such promptitude to crush out resistance to the law. Captain Hays deserves commendation for the earnest manner in which he discharged his duties while under my command.

Very respectfully, yours,

JOHN CUTHBERTSON,

Provost-Marshal Twenty-Fourth District of Pennsylvania.

CHAMBERSBURG, *June 12, 1863.*

Col. J. B. FRY:

SIR: Although advised by the commandant at Carlisle on the 8th instant that a cavalry force of sixty men could be spared for service in this district, upon my telegraphing yesterday that the detachment should proceed to the scene of disturbance I was advised no troops

could be spared and referred to the U. S. officer in command at Harper's Ferry. To order troops from either Baltimore or Harper's Ferry to Bedford County, especially mounted men, would consume probably two days and a half, if not three, and I take it that it is desirable that the enrollment should not be delayed even for that length of time to await the arrival of a military force. I have consequently directed my deputy to require all enrollers inclined to desist to proceed, and authorized him to call upon citizens for a posse comitatus to protect them at their work and aid in arresting persons who have resisted and assisted to resistance of the enrollment. He is instructed to report to me the names of such citizens as are called upon and refuse to give their services. I have called into requisition the assistance of the sheriff in that county, and have asked prominent gentlemen to aid by their counsel and influence in the execution of the order.

You have been advised that the resistance takes the shape of intimidation by secret incendiarism and attempted assassination. If the effort to procure citizen guards fails, which is not improbable, you will please advise me from what quarter to order troops.

GEO. EYSTER,
Provost-Marshal Sixteenth District of Pennsylvania.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., June 13, 1863.

Capt. GEORGE EYSTER,
Provost-Marshal Sixteenth District, Chambersburg, Pa.:

Commanding officer at Carlisle is ordered to fill your call for thirty men when required. If you need them apply to him. Call in person upon General Couch, commanding department, and in case you want help at any time apply to him.

J. B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., June 13, 1863.

Messrs. BARNEY, BUTLER & PARSONS,
Counselors-at-Law, Trinity Building,
111 Broadway, New York City:

GENTLEMEN: I am directed by the Provost-Marshal-General to acknowledge receipt of your communication of the 11th instant to L. C. Turner, judge-advocate, and by him referred to this office, and to say in reply to your question in regard to persons deserting the rebel army being drafted, that all such persons within the prescribed ages are to be enrolled in the same manner as any other citizen of the United States; but if drafted, as there is danger of their being hung if taken prisoners, military service against the rebels will not be required of them. They will be either assigned to some other military service or be discharged.

I am, sir, very respectfully, your obedient servant,

HENRY STONE,
Assistant Adjutant-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, June 13, 1863.

Col. CONRAD BAKER,
Actg. Asst. Prov. Mar. General, Indianapolis, Ind.:

I hope you will secure the arrest of all the guilty in the Rush County affair. Keep the military there until the enrollment is completed, and in case of resistance elsewhere do likewise, even though it should necessitate the enrollment of or draft in but one district at a time.

J. B. FRY,
Provost-Marshal-General.

INDIANAPOLIS, *June 13, 1863.*

Col. JAMES B. FRY:

All the men against whom there is any evidence arrested. Enrollment completed in that sub-district. Military ordered back. Arrested sixteen yesterday in Johnson County for obstructing enrollment officers. All turned over to civil authorities and process issued. A band of men captured an enrolling officer on Thursday in Fulton County and took his papers from him. An expedition starts immediately to that county to make arrests and protect enrolling officers.

CONRAD BAKER,
Colonel and Acting Assistant Provost-Marshal-General.

STATE OF INDIANA,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Indianapolis, June 13, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: Your telegram of this date was received, and although I replied thereto by telegraph immediately, I beg leave to add a few words by mail. Your directions as to the employment of the military will be strictly observed. I have frequent interviews with Governor Morton and with Brigadier-General Willcox as to the difficulties that have occurred and that may be apprehended in enforcing the enrollment act, and there is entire unity of opinion as to the course to be pursued and harmony of action in carrying out the measures adopted. The policy is to execute the laws, if possible, without a conflict; to act so prudently that if a collision shall occur there shall be no pretext for saying that it was provoked by the representatives of the Government, and in such an event to vindicate the authority of the Government at all hazards.

I regret to say that the Democratic gentlemen who promised to address the people through the press in favor of submission to law have not kept their promises, and I fear they will not. They fear their own party friends, and I think are apprehensive that obedience to law is a doctrine to preach which might impair their party standing. The nomination of Vallandigham in Ohio has, I think, increased their doubts. I have sent a force of 100 men under prudent officers to report to the provost-marshal of the Ninth District to aid in arresting the men in Fulton County who on Thursday captured one of the enrolling officers and took his papers from him. I have just received

a telegram from one of my inspecting officers saying that the party of men who committed this outrage was not large, and that no personal injury was done to the officer. A few days ago one of the enrolling officers was driven out of his sub-district in Johnson County, and came and reported the facts to me. I took his affidavit, had process issued, obtained a detail of forty cavalrymen, directed the provost-marshal to go with them, and got the marshal of this district to send a deputy along with the writs for the arrest of the two men who had obstructed the enrolling officer. One of the men was arrested, the other escaping, but they arrested sixteen others, who were assembled and most of them armed for resistance. Affidavits have been filed against the whole party, and they are now in the hands of the civil authorities. I understand one of the offenders has divulged the facts, and that it is a clear case of conspiracy to resist the Government authorities.

I hope you will pardon me, colonel, for again asking about the alphabetical arrangement of the consolidated lists, as some of the boards are delaying for want of certain information as to what is desired. Is it to be an alphabetical arrangement throughout the entire Congressional district, or is the consolidated list of each sub-district to be separately arranged in alphabetical order?

I have the honor to be, colonel, very respectfully, your obedient servant,

CONRAD BAKER,
Acting Assistant Provost-Marshal-General.

P. S.—I inclose a copy of the report of the provost-marshal of Fourth District made to General Willcox, at his request, of the expedition to Rush County.

[Inclosure.]

STATE OF INDIANA,
OFFICE PROVOST-MARSHAL FOURTH DISTRICT,
Greensburg, June 13, 1863.

Brigadier-General WILLCOX,
Commanding, &c., Indianapolis:

GENERAL: I have the honor to make the following report of the expedition sent at my request to Rush County on the evening of the 10th instant:

After reaching Shelbyville it was concluded to go up the Rushville railroad to the town of Manilla, some twelve miles from Shelbyville and two miles and a half from the scene of the late murder. We arrived safely at Manilla at 4 a. m. on the 11th instant, and here left and discharged the train. The men marched from Manilla to Homer, one mile distant; here the infantry was posted. The cavalry was divided into two squads, after dispatching a small party toward Saint Paul, on the Indianapolis and Cincinnati Railroad, to open communication and to bring up rations.

One of the cavalry squads then proceeded with each of the enrolling officers to protect them in the performance of their duties, and to arrest persons resisting the enrollment, and those suspected of the late murder of John F. Stephens. That part of the cavalry under the immediate command of Lieutenant-Colonel Matson made the arrest of the following-named persons, to wit: James V. Hilligoss, Isaac Hilligoss, and Sylvester Hilligoss, charged with resisting the enrolling

officer and other officers engaged in enforcing the enrollment act, and with the murder of John F. Stephens, deputy provost-marshal, and the mortally wounding of Richard M. Craycraft, special agent of provost-marshal. The enrolling officers completed the enrollment without meeting with any resistance. The behavior of the officers and men was admirable, and I take pleasure in testifying that I have never been associated with a more orderly and efficient body of men.

I left Homer yesterday at 2 p. m. and everything was quiet. In my opinion there is no necessity for a longer presence of the troops in that locality.

Very respectfully, your obedient servant,

JOHN C. MCQUISTON,
Provost-Marshal.

LOUISVILLE, KY., *June 13, 1863.*

Col. WILLIAM A. PILE,
Thirty-third Regiment Missouri Vols., Saint Louis:

SIR: I have received your communication of the 10th instant respecting raising negro troops in Missouri. With the approbation of Maj. Gen. J. M. Schofield, I gave my consent to your raising regiments according to our original understanding.

I am, sir, very respectfully, your obedient servant,

L. THOMAS,
Adjutant-General.

WAR DEPARTMENT,
Washington City, June 13, 1863.

His Excellency DAVID TOD,
Governor of Ohio, Columbus:

You are authorized to increase the Governor's Guard to a full regiment at your discretion. The detail of Colonel Wallace is approved.

EDWIN M. STANTON,
Secretary of War.

[JUNE 13, 1863.—For correspondence relating to calling out the militia of Pennsylvania, see Curtin to Halleck, and Halleck to Curtin, Series I, Vol. XXVII, Part III, p. 97.]

GENERAL ORDERS, No. 42. } HEADQUARTERS PENNSYLVANIA MILITIA,
Harrisburg, June 13, 1863.

Whereas, information has been received from the War Department "that the State will receive credit for all enlistments of colored men who may be mustered into the U. S. service as Pennsylvania troops under the authority of the War Department, and that no credit can be allowed for individuals who leave the State and are mustered into organizations elsewhere," *it is ordered*—

I. All persons are prohibited from raising colored volunteers in Pennsylvania otherwise than under the authority of the War Department to recruit in Pennsylvania.

II. The people of color in Pennsylvania are forbidden to enlist or attach themselves to any organizations of colored volunteers to be furnished from other States.

III. All magistrates, district attorneys, and officers of the Commonwealth are required to arrest and prosecute all persons who shall disobey this general order, and particularly all persons, their aiders and abettors, who, under any pretended authority, shall enlist colored volunteers for any brigade, regiment, battery, or company to be furnished from other States, or shall advertise and open or keep recruiting stations for such enlistments, excepting under the authority of the War Department to recruit in Pennsylvania, so that such offenders may be brought to justice.

By order of A. G. Curtin, Governor and commander-in-chief:

A. L. RUSSELL,
Adjutant-General of Pennsylvania.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., June 13, 1863.

Lieut. Col. J. V. BOMFORD,
Sixteenth Infty., A. A. P. M. G. for Pa., Harrisburg, Pa.:

SIR: I am directed by the Provost-Marshal-General to inclose herewith copy of a letter from Capt. Samuel Yohe, provost-marshal Eleventh District of Pennsylvania, and to say that you will take such action upon it as will be most beneficial in accomplishing the enrollment, and when such action has been taken you will report the facts to this office.

I am, sir, very respectfully, your obedient servant,

HENRY STONE,
Assistant Adjutant-General.

[Inclosure.]

PROVOST-MARSHAL-GENERAL'S OFFICE,
ELEVENTH DISTRICT OF PENNSYLVANIA,
Easton, Pa., June 11, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: The enrollment is progressing slowly and regularly in almost all districts. In several districts it has so far been impossible to obtain any one to undertake the enrollment. In one district in Monroe County a party resisted the officer and compelled him to retire. He reported the fact to me. I immediately summoned a posse of men and accompanied them to the place, but did not succeed in arresting any of them. They were informed of our purpose and secreted themselves.

The enrolling officer for a district in this county was unable to proceed, and finally refused to act. I have just returned from there, and have been unable to procure any one to undertake it.

The people in that district are defiant—so much so as to frighten any who feel disposed to undertake it. What is to be done in those cases? It is necessary for me to have a guard and assistants to prosecute the duties of this office. I have, under that necessity, appointed four men, who are constantly employed. I sent ten men to Monroe County to arrest a deserter, which they accomplished. They were overpowered by a band of men, armed, and compelled to release him. They are part of an organized society in the county to resist the conscript act. What is to be done in such case?

Very respectfully, your obedient servant,

SAMUEL YOHE,
Provost-Marshal Eleventh District of Pennsylvania.

CINCINNATI, *June 14, 1863.*

Hon. E. M. STANTON:

There are several Kentucky regiments of one year's men whose time expires soon. Can I have authority to muster them into service from the expiration of their term as part of the 20,000 troops?

A. E. BURNSIDE,
Major-General.

CINCINNATI, *June 14, 1863.*

SECRETARY OF WAR:

Cannot the commissary of musters be authorized to muster the recruiting officers for the force raising in Kentucky? It will save great delay and inconvenience.

A. E. BURNSIDE,
Major-General.

WAR DEPARTMENT,
Washington, D. C., June 14, 1863.

Major-General BURNSIDE,
Cincinnati:

You are authorized to muster in the Kentucky regiments whose time is expiring as part of the 20,000 troops. Arrangements in respect to mustering officer will be made to-morrow.

EDWIN M. STANTON,
Secretary of War.

CINCINNATI, *June 14, 1863.*

SECRETARY OF WAR:

Can I have authority to raise four or five batteries of artillery with the force raising in Kentucky?

A. E. BURNSIDE,
Major-General.

WAR DEPARTMENT,
Washington, D. C., June 14, 1863.

Major-General BURNSIDE,
Cincinnati:

You may raise four or five batteries if you desire.

EDWIN M. STANTON.

STATE OF MAINE, HDQRS. ADJUTANT-GENERAL'S OFFICE,
Augusta, June 14, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: If perfect accuracy is attempted in apportioning upon the basis of population (or indeed any other) to each city, town, and plantation the number of men to be drafted, crediting those already furnished, for the several terms for which they were or are to serve, as I infer will be attempted, from requests to provost-marshals from your office for information upon these points, I apprehend that the draft in this State without coercion will prove a failure. Permit me to cite you to one case, of a score existing, which will be urged to set

aside this call upon many municipalities. One town, for instance, has furnished forty men for nine-months' service, paying them $200 bounty each. Another town with the same population has sent but ten men, paying them perhaps but $50 bounty each. These ten have enlisted out of their nine-months' regiment for three years, as they were permitted to do. The new apportionment will find no deficiency to charge to the town furnishing but ten, and a like number will now be required anew from each, while, by the operations of your rules, one town has thirty less men to draft from than the other and has paid sixteen times as much for bounties. The complaint will be, not that they have expended so much unavailingly for bounties, but that they were not reasonably apprised of this mode of crediting men, which, had they been aware of, they could as readily have obtained men for three years as for nine months.

After the quotas of some cities and towns were full many of their citizens, tempted by liberal bounties, enlisted for other places. Both will now insist upon the credit for those men, and they do so already, the one because its number of men liable to draft is reduced and the other because by the payment of bounties it has made them virtually its own citizens or soldiers.

Did space permit I could add new classes of cases without number, which if allowed would exonerate three-fourths of the towns and cities in this State from furnishing another man in a call for less than 20,000 troops. The best and only course that I can see, in view of the Government's emergency, will be to doom each Congressional district a certain number of troops, based upon the able-bodied men of the first class as shown by the enrollments, leaving for a future call and another day the adjustment of deficiencies, which will require three months certainly to figure out.

Most truly, your obedient servant,

JOHN L. HODSDON,
Adjutant-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., June 14, 1863.

Capt. T. C. J. BAILEY,
Acting Assistant Provost-Marshal-General, Augusta, Me.:

Is everything being done in your State that it is in your power to do to hasten the enrollment and the creation of the Invalid Corps? No time must be lost. Can you make any suggestion to me which will hasten the accomplishment of these objects? Answer.

J. B. FRY,
Provost-Marshal-General.

(Same to all other acting assistant provost-marshals-general.)

[JUNE 14, 1863.—For Schofield to Gamble, asking for four additional regiments of militia for thirty days, see Series I, Vol. XXII, Part II, p. 318.]

[JUNE 14, 1863.—For correspondence relating to raising troops in Pennsylvania, see Stanton to Couch; Scott to Stanton; Curtin to Stanton; Scott to Stanton; Stanton to Scott; Curtin to Lincoln; Halleck to Brooks, Series I, Vol. XXVII, Part III, pp. 111–113.]

NEW YORK, *June 14, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

All has been done that was possible toward completing the enrollment. Some of the sub-districts will be completed this week, while in others, especially the more sparsely inhabited ones, covering much ground and requiring more time to go over, cannot be completed before the week after—say First, Second, and Ninth Districts. One great obstacle existing is and has been the want of blanks, in some cases causing a suspension of the work. If this difficulty can be remedied and the required supply immediately forwarded, putting on an additional force, the work can be completed at any date which you may name. I have called the marshals together to-morrow morning for the purpose of again urging upon them the necessity of using all diligence in the matter. The enlistment in the Invalid Corps has thus far been slow, but the men are now coming in more readily. Every effort in my power has been adopted to give notoriety to the subject. Additional publicity is doubtless needed, and this can best be obtained by adopting the suggestion in confidential circular of 11th instant, and adding to the list of newspapers—say Herald and Sun.

ROBERT NUGENT,
Acting Assistant Provost-Marshal-General.

COLUMBUS, OHIO, *June 14, 1863.*

Col. JAMES B. FRY:

I am doing everything to push the enrollment to a completion as speedily as possible, and have it correct. The separate lists required of men now in service seem to have confused the work in some parts. Not much progress in the Invalid Corps. Think if a few officers were commissioned and sent out to recruit it might help.

E. A. PARROTT,
Colonel and Acting Assistant Provost-Marshal-General.

PROVIDENCE, *June 14, 1863.*

Col. J. B. FRY,
Provost-Marshal-General:

Enrollment progressing rapidly. Will urge forward its completion. But little interest shown in Invalid Corps until within two days. Will answer fully by letter.

W. SILVEY,
Acting Assistant Provost-Marshal-General.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

Whereas, the armed insurrectionary combinations now existing in several of the States are threatening to make inroads into the States of Maryland, Western Virginia, Pennsylvania, and Ohio, requiring

immediately an additional military force for the service of the United States;

Now, therefore, I, Abraham Lincoln, President of the United States, and Commander-in-Chief of the Army and Navy thereof, and of the militia of the several States when called into actual service, do hereby call into the service of the United States 100,000 militia from the States following, namely: From the State of Maryland, 10,000; from the State of Pennsylvania, 50,000; from the State of Ohio, 30,000; from the State of West Virginia, 10,000, to be mustered into the service of the United States forthwith, and to serve for the period of six months from the date of such muster into said service, unless sooner discharged; to be mustered in as infantry, artillery, and cavalry in proportions which will be made known through the War Department, which Department will also designate the several places of rendezvous. These militia to be organized according to the rules and regulations of the volunteer service, and such orders as may hereafter be issued. The States aforesaid will be respectively credited under the enrollment act, for the militia services rendered under this proclamation.

In testimony whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington this fifteenth day of June, in the year of our Lord eighteen hundred and sixty-three and of the independence of the United States, the eighty-seventh.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., June 15, 1863.

Maj. GEORGE L. STEARNS,
A. A. G., U. S. Vols., Continental Hotel, Philadelphia, Pa.:

SIR: I am instructed by the Secretary of War to direct you to confine your recruiting operations to the sea-board States for the present, or until the return of Adjutant-General Thomas from the West. The reasons for this course are so evident that explanation is unnecessary.

I shall be ready in a day or two to remit you $5,000, to be used as a recruiting fund. Please inform me promptly of any change in your address.

I would also respectfully call your attention to the necessity of giving prompt information in regard to the assembling of recruits, the time, place, and probable number, and the number of officers you think necessary to take charge of them, with any other facts you may consider important.

I have the honor to be, very respectfully, your obedient servant,

C. W. FOSTER,
Assistant Adjutant-General.

SMYRNA, DEL., *June 15, 1863—12 m.*

Col. JAMES B. FRY,
Provost-Marshal-General:

Every effort is being made for a speedy enrollment of this State. I judge the work is about one-third done, and hope to complete it by

1st of July. Applicants for the Invalid Corps come in slowly. Have posted the State with handbills referring to that corps. Have met with some resistance. Several enrolling officers have been deterred by anonymous letters. The house of one was assaulted last Thursday night and some fifteen shots fired at it. I went down on Friday night with such force as I could command and arrested eight persons suspected. I am now on my way to the lower part of the State on similar errand. Will return Tuesday night or Wednesday and will then write you more fully. I need more deputies, or special agents, and more military force subject to my orders, and also need a recruiting officer for Invalid Corps and mustering and disbursing officer for cavalry. Shall I appoint, or will you detail such officers?

EDWIN WILMER,
Provost-Marshal.

[JUNE 15, 1863.—For Stanton to Governors of Wisconsin, Minnesota, New Jersey, Illinois, Indiana, Michigan, New Hampshire, Vermont, Maine, Connecticut, Rhode Island, and Massachusetts, relating to the President's call for 100,000 militia for six months, see Series I, Vol. XXVII, Part III, p. 137.]

[JUNE 15, 1863.—For correspondence relating to raising troops in Connecticut, see Buckingham to Stanton; Stanton to Buckingham, Series I, Vol. XXVII, Part III, p. 142.]

[JUNE 15, 1863.—For correspondence relating to raising troops in Illinois, see Yates to Stanton, Series I, Vol. XXVII, Part III, p. 140.]

[JUNE 15, 1863.—For correspondence relating to raising troops in Iowa, see Hall to Stanton, Series I, Vol. XXVII, Part III, p. 141.]

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
June 15, 1863.

His Excellency the GOVERNOR OF MARYLAND,
Annapolis:

Under the President's proclamation of this date calling for 100,000 militia the quota from your State is proportioned among the different arms of service as follows: Eight regiments of infantry, one regiment of cavalry, two batteries of artillery. The organizations must be of the maximum strength, but they will be mustered into the U. S. service when they are full to the minimum, and then filled to the maximum.

By order of the Secretary of War:

JAMES B. FRY,
Provost-Marshal-General.

(Same to Governor of West Virginia, Wheeling.)

OFFICE OF THE PROV. MAR. FOR MONTGOMERY COUNTY,
Rockville, June 15, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

DEAR SIR: I have just returned from the scene of the late rebel raid in Montgomery County, Md., and learned some facts which I think my duty to lay before the Government. The Chesapeake and Ohio Canal is almost wholly officered and worked by men having little or no sympathy for our Government.

I speak of the superintendents and lock-keepers on the line; two very important points on the canal (the locks at the Great Falls and the Seneca locks) are in the hands of our enemies. The population along the banks of the Potomac is disloyal. There is a ford at the head of Conn's Island, near the Great Falls. Suppose the rebels should cross at that point, what friend is at hand to give the alarm? It is true there is a company of cavalry stationed at the Falls, but with the aid of disloyal citizens who know every curve in the river, what chance would our pickets have to give the alarm? The lock-keeper at Seneca is disloyal, and the people in the neighborhood. The rebels came over, captured the pickets, and attacked the Federal cavalry stationed there. The orderly sergeant of that company, with his last words, said that a man by the name of Lewis Cross (who lives close to the camp) displayed signal lights to the rebels from his upper chamber, thus aiding them in their marauding expedition.

I also learned that the superintendent on the Washington Aqueduct, with all the hands employed under him, are utterly opposed to the Government. This force of worthies is stationed at the Great Falls, where they have an opportunity of watching the movements of our troops stationed there, and be ready at a moment's warning to act with the rebels in capturing or destroying them. The Potomac is very low at this time, and the bands of Mosby and White have a great many men with them from this county who know every foot of the river as well as every crossing.

I would most respectfully suggest that none but true and loyal men should be permitted to have any place of public appointment, and no rebel sympathizer should be permitted to enjoy his home who would welcome a band of cut-throats to destroy the defenders of the Government which protects him.

The rebel sympathizers in this community are worse than ever in their hatred to the Government, and they should be made to feel that no enemies can exist in the rear.

Respectfully, your obedient servant,

M. MOULDEN,
Provost-Marshal for Montgomery County.

P. S.—Is the Government aware that a letter could be thrown across the river at the Falls by wrapping it around a stone, thus giving the rebels a chance to learn our movements? And there are plenty of rebel sympathizers to do it. M. M.

[JUNE 15, 1863.—For correspondence relating to raising troops in Massachusetts, see Stanton to Andrew; Andrew to Stanton, and Stanton to Andrew, Series I, Vol. XXVII, Part III, pp. 141–143.]

[JUNE 15, 1863.—For correspondence relating to raising troops in Michigan, see Blair to Stanton, Series I, Vol. XXVII, Part III, p. 144.]

[JUNE 15, 1863.—For correspondence relating to raising troops in New Jersey, see Parker to Stanton, Series I, Vol. XXVII, Part III, p. 164.]

[JUNE 15, 1863.—For correspondence relating to raising troops in New York, see Stanton to Seymour; Seymour to Stanton; Stanton to Seymour; Sandford to Stanton; Stanton to Sandford; Seymour to Stanton; Stanton to Seymour; Morgan to Lincoln, Series I, Vol. XXVII, Part III, pp. 138–141.]

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
June 15, 1863.

His Excellency the GOVERNOR OF OHIO,
Columbus:

Under the President's proclamation of this date calling for 100,000 militia the quota from your State is proportioned among the different arms of service as follows: Twenty-five regiments of infantry, three regiments of cavalry, three batteries of artillery. The organizations must be of the maximum strength, but they will be mustered into the U. S. service when they are full to the minimum, and then filled to the maximum.

By order of the Secretary of War:

JAMES B. FRY,
Provost-Marshal-General.

[JUNE 15, 1863.—For correspondence relating to raising troops in Ohio, see Tod to Stanton; Stanton to Tod; Tod to Cox, Series I, Vol. XXVII, Part III, pp. 140–144.]

MEN OF OHIO, TO THE RESCUE!

STATE OF OHIO, EXECUTIVE DEPARTMENT,
Columbus, Ohio, June 15, 1863.

TO THE PEOPLE OF OHIO:

Lee's rebel army is advancing in force upon Pennsylvania, Western Virginia, and the eastern portion of our own State. To meet this horde of rebels the President of the United States has by proclamation called out 100,000 militia for the period of six months, unless sooner discharged. Of this force 30,000 are called from Ohio, and now, gallant men of Ohio, will you promptly respond to this necessary call without hesitancy? I have assured the President that you would do so. Remember that our own sacred homes are threatened with pillage and destruction and our wives and daughters with insults. To the rescue then at once, and thus save all that is dear to man. As we have but few, if any, regularly organized companies of volunteer militia, I can but invite and implore you to duty. The few companies which have been recently organized are requested to repair at once with their entire force to the camps hereinafter indicated. All others will go forward in squads and be organized into companies after their arrival in camp, for which purpose efficient officers will be designated.

Railroad transportation has been duly provided, and every provision necessary for the comfort of the men after their arrival in camp.

A reasonable allowance will be made to each volunteer for his subsistence when en route to the camp. The pay and allowance for clothing will be the same as that of the volunteer service. Should more respond than the Government requires, the surplus men will be returned to their homes free of all expense to themselves, with the regular pay for the period necessarily absent.

I have now but to designate the camps of rendezvous for the several counties, to wit:

At Camp Dennison, for all who may respond from the counties of Hamilton, Butler, Preble, Darke, Miami, Montgomery, Warren, Greene, Clinton, Clermont, Brown, Adams, Highland, Ross, Scioto, and Pike.

At Camp Marietta, for Lawrence, Gallia, Jackson, Meigs, Vinton, Athens, Washington, Monroe, Noble, Morgan, and Hocking.

At Camp Chase, for Franklin, Pickaway, Fairfield, Fayette, Madison, Clark, Perry, Muskingum, Guernsey, Coshocton, Licking, Knox, Delaware, Union, Champaign, Logan, Shelby, Morrow, Marion, Mercer, Carroll, Harrison, Tuscarawas, and Auglaize.

At Camp Cleveland, for Cuyahoga, Medina, Lorain, Ashland, Wayne, Holmes, Richland, Crawford, Hardin, Hancock, Putnam, Allen, Van Wert, Paulding, Williams, Defiance, Fulton, Wood, Lucas, Ottowa, Sandusky, Seneca, Erie, Huron, Lake, Ashtabula, Geauga, Trumbull, Mahoning, Portage, Summit, and Stark.

At Camp Pittsburg, in the city of Pittsburg, for Columbiana, Jefferson, and Belmont.

The military committees of the several counties are especially requested to exert themselves in securing a prompt response to this call. The troops will all be organized into regiments and well armed before being ordered into service.

And now, fellow-citizens of the State, in the name and behalf of the best Government on earth, let me implore you to lay aside all other duties and obligations and come forward promptly and cheerfully for the preservation of all that is dear to us. You will thus secure the gratitude of your children's children, and the smiles and blessings of Heaven.

DAVID TOD,
Governor.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, June 15, 1863.

His Excellency the GOVERNOR OF PENNSYLVANIA,
Harrisburg, Pa.:

Under the President's proclamation of this date calling for 100,000 militia the quota from your State is proportioned among the different arms of service as follows: Forty-two regiments of infantry, five regiments of cavalry, seven batteries of artillery. The organizations must be of the maximum strength, but they will be mustered into the U. S. service when they are full to the minimum, and then filled to the maximum.

By order of the Secretary of War:

JAMES B. FRY,
Provost-Marshal-General.

[JUNE 15, 1863.—For proclamation of Governor Curtin calling upon the people of Pennsylvania for 50,000 men, see Series I, Vol. XXVII, Part III, p. 145.]

[JUNE 15, 1863.—For correspondence relating to organization of volunteers and militia in Pennsylvania, see Couch to Stanton; Stanton to Couch; Couch to Stanton; Stanton to Brooks; Scott to Curtin; Curtin to Scott; Scott to Howe; Scott to Curtin; Cameron to Lincoln; Stanton to Cameron; Cass to Stanton; Curtin to Stanton, Series I, Vol. XXVII, Part III, pp. 131–144.]

[JUNE 15, 1863.—For correspondence relating to raising troops in Rhode Island, see Smith to Stanton; Stanton to Smith, Series I, Vol. XXVII, Part III, p. 142.]

[JUNE 15, 1863.—For correspondence relating to raising troops in Vermont, see Holbrook to Stanton, Series I, Vol. XXVII, Part III, p. 143.]

HARTFORD, *June 15, 1863.*

Col. JAMES B. FRY:

Enrollment in two of the four districts will be completed about the middle of next week.

D. D. PERKINS,
Acting Assistant Provost-Marshal-General.

SPRINGFIELD, ILL., *June 15, 1863.*

Col. J. B. FRY,
Provost-Marshal-General:

Am pushing the work in all its branches as rapidly as possible. Delay is caused chiefly for want of some of the blanks. Please have complete sets forwarded soon as possible. Have one inspector out. Will send another in a few days. Would suggest that district provost-marshals be immediately instructed to call attention by advertising in local papers and by posters to Invalid Corps.

JAS. OAKES,
Acting Assistant Provost-Marshal-General.

INDIANAPOLIS, *June 15, 1863.*

Col. J. B. FRY:

Everything possible is being done. I have had no officers to assist me until within the last few days. Now have three, two of whom reported yesterday. I visited the headquarters of seven of the districts personally, and an inspecting officer is now visiting the others. No blanks for Invalid Corps were received until Saturday. No time shall be lost. Would like to have Colonel Dunham, Fiftieth Indiana Regiment, who is here unfit for field duty, to assist me temporarily.

CONRAD BAKER.

LOUISVILLE, *June 15, 1863.*

Col. J. B. FRY:

Have been only four days in Louisville, and cannot report definitely. Am laboring hard to accomplish everything. Details of officers and men [to] help me must be authorized from Cincinnati, as no Invalid officers are yet appointed. Enrollment proceeding favorably so far as I hear, but some important points will soon be referred to you.

W. H. SIDELL,
Acting Assistant Provost-Marshal-General.

AUGUSTA, ME., *June 15, 1863.*

Col. J. B. FRY:

Everything has been done under the peculiar circumstances of the case to hasten creation of Invalid Corps. Would respectfully ask permission to detail several volunteer officers as recruiting parties for Invalid Corps for the several districts till some officers are appointed for this corps.

THOS. C. J. BAILEY,
Acting Assistant Provost-Marshal-General.

BOSTON, *June 15, 1863.*

Col. J. B. FRY:

I think everything goes on as well as it can be done, *i. e.*, in the districts general. I would suggest that you send me officers of Invalid Corps to enlist and take charge of men, quartermaster and company responsibility, &c. The number of applications are yet small for this corps. A competent officer to take charge of camp was mentioned by letter. He is much needed.

F. N. CLARKE,
Major, Fifth Artillery.

DETROIT, *June 15, 1863.*

Col. J. B. FRY:

Everything is being done possible by me to hasten the enrollment and creation of the Invalid Corps. Provost-marshals have not sent any applicants for the Invalid Corps, owing to the want of the prescribed blanks for the certificates of enrollment boards. Surgeon Tripler is in want of blanks prescribed for examination of men in hospital. There has been no trouble reported in making the enrollment so far. There should be a supply of enrolling blanks sent to me to provide for unforeseen wants.

B. H. HILL,
Major, Second Artillery, Actg. Asst. Provost-Marshal-General.

TRENTON, *June 15, 1863.*

Col. JAMES B. FRY:

Dispatch received. Every one is busily engaged and I shall hasten as much as possible. I hope to finish by the 25th. I will write further.

ROBT. C. BUCHANAN,
Acting Assistant Provost-Marshal-General.

ALBANY, *June 15, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

Every exertion has been made to hasten enrollment and recruiting Invalid Corps. Want an officer of such corps for each district. As yet only one reported. Enrollment will be completed by July 1, excepting Eleventh District, completed July 10. Answer to application, June 6, for Captain Douglass, Eighteenth Infantry, to command camp of rendezvous has not been received.

FREDK. TOWNSEND,
Major and Acting Assistant Provost-Marshal-General.

ELMIRA, *June 15, 1863.*

Col. JAMES B. FRY:

Everything that can is being done in this part of the State to complete the draft. Circular No. 20 will delay a few days. No privates offer for the Invalid Corps. Plenty of officers.

A. S. DIVEN,
Acting Assistant Provost-Marshal-General.

MILWAUKEE, WIS., *June 15, 1863.*

Col. J. B. FRY:

I have been doing all in my power to hasten the enrollment and create the Invalid Corps. Blank enlistments were only received Saturday. Can I offer a reward for the murderer of the enrolling officer in Dodge County? I have no funds.

CHAS. S. LOVELL,
Acting Assistant Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, June 15, 1863.

Lieut. Col. C. S. LOVELL,
Milwaukee, Wis.:

Offer reward if you think it will do any good.

J. B. FRY,
Provost-Marshal-General.

CIRCULAR No. 28. WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, June 16, 1863.

The following opinion of Hon. William Whiting, Solicitor of the War Department, has been ordered to be published by the Secretary of War:

OPINION.

It is made the duty of the provost-marshals "to obey all lawful orders and regulations of the Provost-Marshal-General, and such as may be prescribed by law, concerning the enrollment and calling into service of the national forces." (Act March 3, 1863, section 7.)

The twenty-fifth section of the same act provides "that if any person shall resist any draft of men enrolled under this act into the service of the United States, or shall counsel or aid any person to resist any such draft; or shall assault or obstruct any officer in making such draft, or in the performance of any service in relation thereto; or shall counsel any person to assault or obstruct any such officer, or shall counsel any drafted men not to appear at the place of rendezvous, or willfully dissuade them from the performance of military duty as required by law, such person shall be subject to summary arrest by the provost-marshal and shall be forwith delivered to the civil authorities, and, upon conviction thereof, be punished by a fine not exceeding $500, or by imprisonment not exceeding two years, or by both of said punishments."

To do any act which will prevent or impede the enrollment of the national forces (which enrollment is preliminary and essential to the draft) is to prevent or impede the draft itself.

The enrollment is a "service to be performed by the provost-marshal in relation to the draft." It is not the act of drawing ballots out of a ballot-box itself, but it is "in relation to it," and is the first step that must by law be taken preparatory to draft. It is, therefore, clearly within the duty of the provost-marshal to subject all persons who obstruct the enrollment, the meeting of the Board, or any other proceeding which is preliminary and essential to the draft, to summary arrest, according to the provisions of section 25.

There are many ways of obstructing officers in the performance of their "services or duties in making, or in relation to the draft," without employing physical force. The neglect or refusal to do an act required by law to be done may itself be such an "obstruction" as to subject the offender to arrest.

Suppose a person be found standing in a passage through which the drafting officers were required to enter into a place designated by law as the place for draft, and suppose that his standing in that place would prevent access by these officers to the place of draft. If they request him to move away, and he neglects or refuses so to do, for the purpose of preventing the draft, the non-performance of the act of removal would be itself an "obstruction of the draft, or of an officer in the performance of his duty in relation to it."

Standing mute in civil courts is, under certain circumstances, a punishable offense; and so if a person, with intent to prevent the draft, refuses to give his true name when lawfully requested so to do by an officer whose legal duty is to ascertain and enroll it, it is an obstruction of that officer in the performance of one of his duties in relation to the draft; so, also, of the giving of false names with the same illegal intent, and the offender will, in either case, be subject to summary arrest by the provost-marshal.

WILLIAM WHITING,
Solicitor of the War Department.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 29. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, June 16, 1863.*

The following opinion of Hon. William Whiting, Solicitor of the War Department, has been ordered to be published by the Secretary of War:

OPINION.

The national forces liable to perform military duty include all able-bodied male citizens of the United States, and persons of foreign birth who have declared their intention to become citizens according to law, being between twenty and forty-five years of age.

Certain persons are excepted, divided into eight classes. No persons but such as are therein excepted shall be exempt. (Sec. 2.)

It is declared the duty of the enrolling officers to enroll all persons subject to military duty. (Sec. 9.) All persons thus enrolled shall be subject, for two years after July 1 succeeding the enrollment, to be called into the military service. (Sec. 11.)

The national forces (not now in the military service) enrolled under the act shall be divided into two classes. (Sec. 8.)

Those of the second class shall not be called out until those of the first class shall have been exhausted.

Thus it seems, by the true construction of this act, that while all persons coming within its provisions are to be enrolled in the national forces, nevertheless, under the first enrollment those who were in the military service at the time the act went into effect are not to be included in that class which is subject to the first draft.

Several provisions of the statute are inconsistent with the idea that persons then in the service were to be treated as liable to draft from the first class.

Thus it is provided in the seventh section that regulars, volunteers, militiamen, or persons called into the service under this or any other act of Congress, were to be arrested as deserters, wherever they might be found, by the provost-marshal, and to be sent to the nearest military post, thus admitting a plain distinction between these different classes of persons, viz, those who were then in the service and those who were to be drafted in.

The same distinction between those who were in the service and those who were to be drafted in is recognized in section 18, which provides bounties to those who, being then in the service, should volunteer to re-enlist.

The statute, in providing for the classification of troops from which drafts are to be made, enacts as follows (sec. 3): "That the national forces of the United States, not now in the military service, enrolled under this act shall be divided into two classes." Thus those who are "now" (that is to say, on the 3d of March, 1863) in the military service are not to be included in either of these two classes.

And as those then (March 3) in the service were not included in either of these two classes, they may be said to constitute a third class of forces to be enrolled under the provisions of the act.

As between the first and second classes the law (sec. 3) requires that the second class shall not in any district be called into the service of the United States until those of the first class shall have been thus called in.

Volunteers or regulars who have been in the service, and who had been discharged therefrom, or had resigned, prior to the 3d day of March, 1863, are liable to be drafted in the same manner as if they had never been in the service. No regard is to be paid to their former period of service, or to the length or brevity of the period between the date of their discharge and that of the draft.

Volunteers who were in the service of the United States on the 3d of March, 1863, and have since that time been discharged, are not, therefore, included in the first class from which the first draft is intended to be made, and are, therefore, not now liable to be called on by a draft which is to be made from that class of the forces of the United States under the provisions of this act.

WILLIAM WHITING,
Solicitor of the War Department.

JAMES B. FRY,
Provost-Marshal-General.

INDIANAPOLIS, IND., *June 16, 1863.*

Hon. E. M. STANTON:

The enrollment meets with serious resistance in several counties and reliable troops are needed to enforce the laws. Outbreaks have already occurred. General Burnside has ordered all troops out of the State, leaving us helpless. Please order that no troops be taken out of the State at present. Governor Morton will arrive to-night in Washington.

LAZ. NOBLE,
Adjutant-General of Indiana.

INDIANAPOLIS, *June 16, 1863.*

Col. JAMES B. FRY:

It is said nearly all the troops here are about to be taken out of this State. In my judgment the few troops here are not more than suffi-

cient to enforce the laws and preserve the peace of the State. The indications of organized resistance in several counties are organizing [*sic*].

CONRAD BAKER,
Acting Assistant Provost-Marshal-General.

CINCINNATI, *June 16, 1863—1.30 p. m.*

Hon. E. M. STANTON:

There is very great trouble in many counties in Indiana in carrying out the enrollment, and the force under my command is constantly called upon to aid the enrolling officers, notwithstanding the representations made to you that the exercise of military authority by me was unnecessary. I am more than ever satisfied that it is out of the power of the civil authorities to maintain the peace by prompt arrests and punishment. Can I have the authority to declare martial law at such times as I shall think necessary? Depend upon it, I can restore the whole department to perfect quiet if my policy is adopted.

A. E. BURNSIDE,
Major-General.

[JUNE 16, 1863.—For correspondence relating to raising troops in Iowa, see Kirkwood to Stanton, Series I, Vol. XXVII, Part III, p. 164.]

[JUNE 16, 1863.—For correspondence relating to raising troops in Maine, see Hodsdon to Stanton, Series I, Vol. XXVII, Part III, p. 166.]

[JUNE 16, 1863.—For proclamation of Governor Bradford, of Maryland, calling for 10,000 men for six-months' service, see Series I, Vol. XXVII, Part III, p. 169.]

[JUNE 16, 1863.—For correspondence relating to raising troops in Massachusetts, see Andrew to Stanton; Schouler to Stanton, Series I, Vol. XXVII, Part III, pp. 163–166.]

[JUNE 16, 1863.—For correspondence relating to raising troops in Minnesota, see Malmros to Stanton, Series I, Vol. XXVII, Part III, p. 167.]

[JUNE 16, 1863.—For correspondence relating to raising troops in New Jersey, see Stanton to Parker, Series I, Vol. XXVII, Part III, p. 165.]

EXECUTIVE MANSION,
Washington, June 16, 1863.

Col. WILLIAM S. BLISS,
New York Hotel:

Your dispatch asking whether I will accept the "Loyal Brigade of the North" is received. I never heard of that brigade by name, and

do not know where it is; yet presuming that it is in New York, I say I will gladly accept it if tendered by and with the consent and approbation of the Governor of that State; otherwise not.

A. LINCOLN.

WAR DEPARTMENT,
Washington, D. C., June 16, 1863.

General T. FRANCIS MEAGHER,
New York:

Your dispatch received. Shall be very glad for you to raise 3,000 Irish troops, if done by the consent of and in concert with Governor Seymour.

A. LINCOLN.

[JUNE 16, 1863.—For correspondence relating to raising troops in New York, see Sprague to Stanton; Stanton to Sprague; Sprague to Stanton; Sandford to Stanton, Series I, Vol. XXVII, Part III, pp. 165–168.]

COLUMBUS, *June 16, 1863.*

Hon. E. M. STANTON:

Governor Andrew's agents refuse to take any more colored troops. Please give me authority to raise a colored regiment.

DAVID TOD,
Governor.

WAR DEPARTMENT,
Washington City, June 16, 1863.

Governor TOD,
Columbus, Ohio:

You are authorized to raise a regiment of colored troops. Instructions will be sent by the Bureau to-morrow.

EDWIN M. STANTON,
Secretary of War.

[JUNE 16, 1863.—For correspondence relating to raising troops in Ohio, see Tod to Stanton; Stanton to Tod, Series I, Vol. XXVII, Part III, p. 165.]

POTTSVILLE, *June 16, 1863.*

Col. J. B. FRY:

Civil authorities oppose me. The court yesterday refused to remove the prosecution against deputy provost-marshal-general and others to circuit court of United States under fifth section of habeas corpus act of 3d of March last, and held them to bail to appear. Of case of Abraham Bressler, whom Gane has now arrested, court yesterday granted habeas corpus returnable 2.30 Wednesday afternoon.

Please let the company of infantry which is to report to me be attended with quartermaster and full supplies and tents, and come quick.

C. TOWER,
Provost-Marshal.

HARRISBURG, *June 16, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

Chambersburg was occupied last night by the enemy's cavalry. I have come here to avoid capture. My office effects and military equipments have been brought away in safety. The work of enrollment will necessarily be retarded.

GEO. EYSTER,
Provost-Marshal.

[JUNE 16, 1863.—For proclamation of Governor Curtin, of Pennsylvania, calling the people to the defense of the State, see Series I, Vol. XXVII, Part III, p. 169.]

[JUNE 16, 1863.—For correspondence relating to raising troops in Pennsylvania, see Stanton to Couch; Stanton to Brooks; Couch to Stanton; Stanton to Curtin; Burnside to Brooks; Stanton to Brooks; Stanton to Curtin, Series I, Vol. XXVII, Part III, pp. 162–167.]

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, June 16, 1863.

GOVERNOR OF RHODE ISLAND,
Providence, R. I.:

SIR: I am directed by the Secretary of War to inform you that the Department will accept from your State additional volunteers—infantry—to serve for three years or during the war. All regiments you may offer will be accepted; this under condition that not more than two regiments of infantry are to be under recruitment at one time. In conducting the recruitment the requirements of General Orders, No. 75, series of 1862, from the War Department, in connection with paragraph 86, of the Revised Mustering Regulations, will be observed. The organization of the respective regiments will be governed by General Orders, No. 110, current series, from the Adjutant-General's Office. In addition to the foregoing and to the end that the Department may be at all times fully advised as to the state of the service, it is desired that the names of all persons you may authorize to recruit (under General Orders, No. 75) may be reported to this office so soon as the appointments are issued, and that you will report at least once a month the localities where the officers are recruiting, the number of men recruited for each regiment, and the probable time when any one regiment will be completed and in readiness for the formal muster into service by the U. S. mustering officer of the State. Recruits for regiments in the field will also be received; this under paragraphs 3 and 4,

of General Orders, No. 88, of 1862. All men mustered into the service under this authority will be duly credited to your State in case of draft being ordered. As to bounties, &c., please see copy of General Orders, No. 163, from the Adjutant-General's Office, herewith.*

I am, sir, &c.,

JAS. B. FRY,
Provost-Marshal-General.

[JUNE 16, 1863.—For correspondence relating to raising troops in West Virginia, see Peirpoint to Stanton, Series I, Vol. XXVII, Part III, p. 167.]

GENERAL ORDERS, No. 178. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, June 17, 1863.*

Maj. George L. Stearns, assistant adjutant-general, U. S. Volunteers, is hereby announced as recruiting commissioner for the U. S. colored troops, subject to such instructions as he may from time to time receive from the Secretary of War.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, June 17, 1863.

GOVERNOR OF MAINE,
Augusta, Me.:

SIR: You are hereby authorized by the Secretary of War to reorganize the Second and Tenth Regiments of Volunteers from your State, to serve for three years or during the war, under the following conditions:

First. All enlisted men who, immediately upon the promulgation of this authorization by you, re-enter the service for the period aforesaid, will be mustered in as of the date immediately subsequent to their muster out, and their payments will begin at said date.

Second. The colonels, their respective staffs, and such company officers as you may wish to recommission in the reorganized regiments, will be remustered into service so as to retain the rank they respectively held at the date they were mustered out and relieved from their former service. They will be paid from the date on which the new muster is made.

Third. The three-years' men formerly in the regiment in question and now in service will be restored to the reorganized regiments so soon as they again take the field.

Fourth. To fill the regiments to the maximum, volunteers for three years or during the war will be received.

Fifth. Officers who did not belong to the regiments at the time they were mustered out will, when duly commissioned, be mustered into service in accordance with the requirements of paragraph 86, mustering regulations, and all musters of enlisted men not specially referred to herein will be made in strict accordance with the said regulations.

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*See p. 250.

Sixth. Bounties, advanced pay, &c., will be paid in accordance with the requirements of General Orders, No. 163, current series, from the Adjutant-General's Office, copy herewith.* To prevent all conflict as to term of service and pay, a copy of this authority must be filed with the new muster-in rolls of the regiments.

The Government barracks at Bangor and Portland may be used for the accommodation of the regiments whilst reorganizing.

It is proper to add that the payments (pay proper) authorized under conditions one and two may not be made to the officers and men until the regiment has left, or is under orders to leave, the State, this depending on circumstances which may then exist.

I have the honor, &c.,

JAS. B. FRY,
Provost-Marshal-General.

(Copy for Captain Bailey, mustering officer, Augusta, Me.)

STATE OF INDIANA,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Indianapolis, June 17, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: On the 15th instant, at Whitestown, Boone County, Eighth District, a mob of some twenty-five or thirty men surrounded the enrolling officer of that sub-district and caused the women of the town to assail him with eggs. The facts were reported to me yesterday, and I immediately prepared affidavits against all the men whose names could be procured. Had process issued against five of the principal offenders and placed in the hands of the U. S. marshal for this district. I then procured a detail of fifty infantry, properly officered, from General Willcox, commander of this district, and sent the provost-marshal of the Eighth District to Boone County in charge of the expedition, a deputy U. S. marshal accompanying the expedition with the writs. The provost-marshal was instructed to arrest all the offenders for whom writs had not been procured and to aid the deputy U. S. marshal in arresting those named in the writs.

The expedition started by railroad at 8 o'clock last night and went on with the train a mile or more beyond Whitestown, when they left the train and remained until 4 o'clock this morning, when they surrounded the town and arrested four of those against whom writs had issued and eleven others who had participated in the outrage on the enrolling officer. One of the five against whom writs had issued escaped and was fired upon when escaping, but without effect.

Before the military arrived and during nearly the whole of yesterday there were at Whitestown an assemblage of from 100 to 125 men, chiefly armed, who it was supposed were assembled to resist the making of arrests. They all dispersed, however, during the night, after the cars had passed and before the arrests were made.

The provost-marshal and the officer in command of the military acted with good judgment in performing their duties and I think these arrests will quiet that neighborhood.

The parties arrested are in the hands of the civil authorities.

Respectfully, your obedient servant,

CONRAD BAKER,
Acting Assistant Provost-Marshal-General.

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* See p. 250.

[JUNE 17, 1863.—For correspondence relating to raising troops in Massachusetts, see Schouler to Stanton, Series I, Vol. XXVII, Part III, p. 187.]

[JUNE 17, 1863.—For proclamation of Governor Parker, of New Jersey, calling upon the people to assist Pennsylvania, see Series I, Vol. XXVII, Part III, p. 190.]

WAR DEPARTMENT,
Washington City, June 17, 1863.

THOMAS WEBSTER, Esq.,
Philadelphia:

The petition of the citizens of Philadelphia for authority to raise three regiments of colored volunteers has been received by this Department and the proper orders have been issued for raising the troops. The views of the Department will be explained to you by Major Stearns.

EDWIN M. STANTON,
Secretary of War.

[JUNE 17, 1863.—For correspondence relating to raising troops in New York, see Halleck to Sandford; Sandford to Halleck, Series I, Vol. XXVII, Part III, p. 187.]

[JUNE 17, 1863.—For correspondence relating to raising troops in Pennsylvania, see Couch to Stanton; Stanton to Couch; Curtin to Stanton; Pleasonton to Stanton, Series I, Vol. XXVII, Part III, pp. 185–188.]

[JUNE 17, 1863.—For correspondence relating to raising troops in Rhode Island, see Smith to Stanton, Series I, Vol. XXVII, Part III, p. 188.]

STATE OF VERMONT, EXECUTIVE DEPARTMENT,
Brattleborough, June 17, 1863.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.:

SIR: The adjutant-general of Vermont feels it to be quite important that the draft, under the U. S. conscription law, when made in Vermont, shall be made in towns, giving each town its due credits or charging its deficiencies, in consideration of what it has done in furnishing men under previous calls.

The important points are set forth in the accompanying letter from General Washburn, which, at his request, I send to you. You are doubtless aware that in Vermont the town is the municipal unit, and when the State authorities have had occasion to raise troops it has

been done by calling upon towns to furnish their quota of the whole number set to the State by the General Government. It would seem to be proper that the same course should be pursued by the U. S. authorities.

I am, with high regard, your obedient servant,

FREDERICK HOLBROOK,
Governor of Vermont.

[Inclosure.]

STATE OF VERMONT,
ADJUTANT AND INSPECTOR-GENERAL'S OFFICE,
Woodstock, June 16, 1863.

Hon. EDWIN M. STANTON,
Secretary of War, Washington, D. C.:

SIR: If a draft under the act of Congress should be ordered in this State I have the honor to request that the several provost-marshals may be directed to draft by towns, and in apportioning to each town its quota, to consider the number of men heretofore furnished by each town and give credits or charge deficiencies accordingly. I consider it of the greatest consequence that this direction should be given. In this State each town is a municipality in itself, having rights distinct and well defined by statute law. Counties are made arbitrarily from towns, and Congressional districts from counties, without municipal rights. In raising troops heretofore in this State, quotas have been assigned to towns; each town has raised its quota in its own way—some by the payment of heavy bounties. Many towns have by the payment of such bounties raised more than their quotas; and the town officers have been constantly assured that they should be allowed upon future calls the credit thus gained. If the draft should be by Congressional districts, or even counties, an undue proportion of men may be taken from towns now largely in excess of their quotas on former calls. The faith of the State is pledged in this respect; and if any other course is taken it will produce much dissatisfaction and consequent mischief.

The records in this office show accurately the quota of each town heretofore and the number of men raised by each town. These numbers can be furnished to the several provost-marshals at any time, to serve as the data for computation of quotas on a new draft.

Very respectfully, your obedient servant,

PETER T. WASHBURN,
Adjutant and Inspector General.

CIRCULAR No. 30. WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, D. C., June 18, 1863.

Mustering and disbursing officers are hereby directed whenever they muster in a body of troops to ascertain as nearly as possible, and report to this office, the number of said troops which come from the different Congressional districts in the State, in order that a fair allowance may be made to each district in assigning quotas for draft. Adjutants-general of States are requested to keep similar records.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, June 18, 1863.

GOVERNOR OF CONNECTICUT,
Hartford, Conn.:

SIR: In answer to your letter of the 13th instant I am directed to inform you as follows:

First. It is the intention of the Department to fill the regiments in the field with either volunteers (for three years or during the war) or drafted men, or both, depending on circumstances.

Second. Regiments now reduced to one-half the maximum will probably not be consolidated, as the Department hopes to fill them.

Third. Any colored troops which may be raised in your State under authority from the War Department will be duly credited to the quota from your State. The question as to their consolidation with other regiments cannot yet be answered.

I have the honor to be, &c.,

E. D. TOWNSEND,
Assistant Adjutant-General.

[JUNE 18, 1863.—For correspondence relating to raising troops in New Hampshire, see Gilmore to Stanton, Series I, Vol. XXVII, Part III, p. 206.]

[JUNE 18, 1863.—For correspondence relating to raising troops in New York, see Sandford to Stanton; Sprague to Stanton; Stanton to Sprague, Series I, Vol. XXVII, Part III, p. 205.]

WAR DEPARTMENT,
Washington City, June 18, 1863.

Major-General SANDFORD,
New York:

The U. S. mustering officer at Harrisburg is directed to muster in General Ewen's brigade of New York troops for thirty days, reckoning from the date of their departure from New York. The brigadier-generals in command will also be mustered as such according to their respective rank. Corresponding order has been issued by the Adjutant-General.

EDWIN M. STANTON,
Secretary of War.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Elmira, N. Y., June 18, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I inclose you copy of a letter this day sent by me to the judge of the county court of this county. Will you give it your earliest possible attention? The hearing in this particular case that induced me to write this is adjourned until the 27th, before which time I am anxious to hear from you. You will see if we are to allow

the question of whether a man is a deserter, a spy, or any other offender for which courts-martial try and punish, it may lead to great embarrassment. The case in hand is that of a minor for whom the father sues out a writ of habeas corpus. I submitted the case to you on the 11th instant, and under date of 15th you say, "By the act of Congress approved February 13, 1862, all laws discharging minors are repealed; this man will therefore be returned to his regiment as a deserter."

The law of 1862 repeals the law of 1850, which requires the Secretary of War to discharge minors enlisted without guardian's consent. It is contended that it does not repeal prior laws requiring the consent.

I have the honor to be, your obedient servant,

A. S. DIVEN,
Actg. Asst. Prov. Mar. Gen., Western Dist. of N. Y.

[Indorsement.]

Mr. WHITING:

This question is becoming one of importance, and unless we get on the right ground and stick to it invariably we will become involved. Will you advise me in the matter? I must give Major Diven an answer within two days to meet the particular case in point.

J. B. FRY.

[Inclosure.]

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Elmira, N. Y., June 18, 1863.

Hon. E. P. BROOKS,
Judge, &c.:

DEAR SIR: Pending the proceedings on a writ of habeas corpus in the case of Stillman Duane Clements, One hundred and fifty-fourth New York Volunteers, arrested as a deserter, I addressed you a hasty note. As the object of my thus addressing you might be misapprehended, I now write you more deliberately and with this purpose. In the execution of military orders, necessarily arbitrary, with all the prudence that can be exercised there is great danger of a collision between civil and military authorities. It is with an honest desire to avoid this in this locality that this communication is made; and I make it in writing instead of asking a personal conversation, because I desire to submit to those from whom I receive my orders my exact position, that they may correct me if I mistake their intent in orders to me. The provost-marshals are required to arrest deserters, spies, &c., and convey them to military stations where they may be tried by court-martial, or dealt with according to military usage.

If, when an arrest is made under these orders, a writ of habeas corpus is issued, I should direct the marshal to show to the court granting the writ the regularity of the arrest and the order under which he acted, and his authority, if questioned. But if it were claimed by the judge that he could try the regularity of the enlistment and the questions properly triable by a court-martial, and release the prisoner if he was not proved to be a deserter, then I should deem it my duty to advise the provost-marshals, or those acting under them, not to produce the prisoners before the judge issuing the writ, but to convey them to the military post as directed by

the military orders, and should furnish them the necessary escort to enable them to do so. I may be mistaken in the understanding of my duty, and am glad the time to which the hearing in question is adjourned will give me opportunity to consult the authorities at Washington.

I have the honor to be, your obedient servant,

A. S. DIVEN,
Major, Actg. Asst. Provost-Marshal-General, Western N. Y.

NEW YORK, *June 18, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

The excitement incident to invasion of Pennsylvania has not in any way interfered with the progress of the enrollment. All is going on well and with all possible rapidity.

ROBT. NUGENT,
Col. 69th Regt. N. Y. V. and Actg. Asst. Prov. Mar. General.

COLUMBUS, OHIO, *June 18, 1863.*

A. LINCOLN,
President of the United States:

The opponents of the Administration will attempt to attribute my defeat to the advocacy of the leading measures of your Administration. Do not for a moment believe it. Personal considerations alone were the cause of my defeat. No man in Ohio will do more to secure the triumphant election of the ticket nominated than I will.

DAVID TOD,
Governor.

ADJUTANT-GENERAL'S OFFICE,
June 18, 1863.

His Excellency DAVID TOD,
Governor of Ohio, Columbus, Ohio:

SIR: I am instructed by the Secretary of War to inform you that you are hereby authorized to raise one regiment of infantry to be composed of colored men to be mustered into the service of the United States for three years or during the war. To these troops no bounties will be paid.

The organization of the regiment must conform strictly to the requirements of General Orders, No. 110, War Department, 1863, a copy of which is herewith.*

The prescribed number of commissioned officers will be appointed in accordance with the provisions of General Orders, No. 143, War Department, 1863, a copy of which is inclosed.† To facilitate the appointment of the officers, it is respectfully suggested that it would be well to forward to the War Department as early as practicable the names of such persons as you wish to have examined for appointment.

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* See p. 175. † See p. 215.

An officer will be detailed to muster the regiment into service as soon as its organization is completed, or a single company may be mustered at a time, if circumstances make such a course necessary.

I am, &c.,

C. W. FOSTER,
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE SUSQUEHANNA,
Harrisburg, Pa., June 18, 1863.

Lieut. Col. C. F. RUFF,
Philadelphia, Pa.:

By authority of the War Department, colored troops will be received into service. Please make dispositions to organize a regiment in Philadelphia, mustering in as offered by companies. Notify accordingly.

D. N. COUCH,
Major-General, Commanding.

PROVOST-MARSHAL-GENERAL'S OFFICE,
June 18, 1863.

Colonel BOMFORD,
Provost-Marshal-General, Harrisburg, Pa.:

Prevent as far as possible any delay in the enrollment by the present excitement in Pennsylvania and the raising of volunteers. See that all your provost-marshals are attending diligently to their legitimate duties.

JAMES B. FRY,
Provost-Marshal-General.

(Same to Colonel Buchanan, Trenton, N. J.; Colonel Nugent, New York City; Major Townsend, Albany, N. Y.; Major Diven, Elmira, N. Y.; Colonel Parrott, Columbus, Ohio; and Major Clarke, Boston, Mass.)

HDQRS. ACTG. ASST. PROV. MAR. GEN. OF PENNSYLVANIA,
Harrisburg, Pa., June 18, 1863.

COLONEL: I have the honor to state that I have to-day received assurances from General Couch that as soon as this place may be deemed secure and tranquillity restored I can obtain from him ready assistance to overcome the opposition to the enrollment in the mining districts. A copy of a letter from the provost-marshal of the Tenth District is hereby inclosed, which characterizes somewhat the nature of the difficulties to be contended against and expresses opinions often repeated by others.

Very respectfully, your obedient servant,

J. V. BOMFORD,
Lieutenant-Colonel Sixteenth U. S. Infantry,
Acting Assistant Provost-Marshal-General of Pennsylvania.

[Inclosure.]

PROVOST-MARSHAL'S OFFICE, TENTH DIST. OF PA.,
Pottsville, June 16, 1863.

Col. J. V. BOMFORD,
Actg. Asst. Prov. Mar. Gen. of Pennsylvania, Harrisburg:

DEAR SIR: I reply to your two letters, dated 12th and 15th instant respectively. I did not reply to the first one earlier because I was unable to do so.

I have enrolling officers at work in all my sub-districts except six, and the greater number of them will, I think, finish their work this week. In two of the six I have enrolling officers, but they are so threatened that they do not dare to begin their work without a military force to attend them. In the remaining four I have not been able yet to get any person to accept the office of enroller.

I learn from reliable sources that in some of these four meetings are held twice a week in opposition to the enrollment, and that the feeling against the enrollment is violent in them all. Several persons in these four to whom I have offered the enrolling have declined on the ground that their property would be destroyed and their lives be unsafe if they were to undertake it.

The number of men to be enrolled in these six sub-districts I estimate, from the enrollment made last fall, to be between 4,000 and 5,000.

I see no method of making these enrollments except to march through the sub-districts with a military force. The coal operators there who employ a great many men would, in most cases, aid us in giving a list of their men, but if they do this voluntarily they are in danger of having their breakers burned and machinery destroyed and being themselves killed. If we appear at their office doors and demand the lists, they will give them and furnish additional information to us too, such as we need, and those who intend to resist will be overawed.

Capt. J. Orr Finnie has reported to me here this afternoon with fifty men. I am glad for these; but to make the campaign of these sub-districts safely I ought to have at least 200 more and two pieces of artillery.

The miners are organized and armed with guns and revolvers, and have appeared heretofore in large bodies, and give out that they can summon 1,500 to 2,000 men at a call, and will do so to prevent an enrollment and draft. If practicable to have such a force furnished me, please do so, and I will push the enrollment through with all possible haste.

Captain Finnie will hand you this. I will thank you to listen to his explanation in regard to the force I need here and supplies for it.

Very respectfully, yours,

C. TOWER,
Provost-Marshal.

[JUNE 18, 1863.—For correspondence relating to raising troops in Pennsylvania, see Couch to Stanton; Stanton to Couch; Stearns to Stanton; Stanton to Stearns; Stanton to Curtin; Moorhead to Lincoln; Lincoln to Moorhead; Brooks to Stanton, Series I, Vol. XXVII, Part III, pp. 203, 204.]

[JUNE 18, 1863.—For correspondence relating to raising troops in Rhode Island, see Stanton to Smith, Series I, Vol. XXVII, Part III, p. 205.]

ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., June 18, 1863.

GOVERNOR OF RHODE ISLAND,
Providence, R. I.:

SIR: I am instructed by the Secretary of War to inform you that you are hereby authorized to raise one company of artillery to be composed of colored men, to be mustered into the U. S. service for three years or during the war. To these troops no bounties will be paid.

The organization of the company must conform strictly to the requirements of General Orders, No. 110, War Department, 1863, a copy of which is herewith.*

The prescribed number of officers will be appointed in accordance with the provisions of General Orders, No. 143, War Department, 1863, a copy of which is herewith.†

To facilitate the appointment of the officers, it is respectfully suggested that it would be well to forward to the War Department as early as practicable the names of such persons as you wish to have examined for appointment.

An officer will be detailed to muster the company into service as soon as its organization is completed and the fact reported to the War Department.

It must be distinctly understood that this company is not to be a light artillery company.

I have the honor to be, very respectfully, your obedient servant,

C. W. FOSTER,
Assistant Adjutant-General.

(Copy furnished Maj. G. L. Stearns, assistant adjutant-general, &c.)

MONTPELIER, *June 18, 1863.*
(Received 3.30 p. m.)

Col. J. B. FRY:

There is serious resistance to the enrollment among the Irish laborers in the marble quarries at Rutland. Captain Crane, the provost-marshal of the district, the enrolling officer, the deputy sheriff of the county, and surgeon of the Board were yesterday about 3 p. m. violently attacked by a party of about 500 men. The provost-marshal reports that they are organized, and that they are armed to a great extent, and that they can raise now 1,000 men. A strong military force will be necessary to arrest them. There is none in the State. They have all, except about seventy-five, been enrolled from their employers' pay-rolls.

T. G. PITCHER,
Brigadier-General, &c.

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*See p. 175. †See p. 215.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, June 18, 1863.

General PITCHER,
Montpelier, Vt.:

It is difficult at present to get troops to arrest the Rutland men. If you can get them all enrolled by reference to the pay-rolls of their employers, we will try and have a force ready before the draft takes place. Can't you make any progress with the Invalid Corps? It is to serve such purpose.

JAMES B. FRY,
Provost-Marshal-General.

OFFICE PROVOST-MARSHAL, FIRST DISTRICT OF VERMONT,
Rutland, June 18, 1863.

Brig. Gen. T. G. PITCHER,
Acting Assistant Provost-Marshal-General, Montpelier, Vt.:

GENERAL: I have the honor to submit the following report and ask instructions relative thereto, viz:

The enrolling officer for the sub-district in which the town of Rutland is included having reported to me that in endeavoring to enroll the laborers in one of the marble quarries in the western portion of the town on the 16th instant he was obstructed in the performance of his duty by the men refusing to give him any of the information he was required to obtain, and by threats of violence driven from the place. I called to my aid the enrolling officer, the surgeon of the Board of Enrollment, and the deputy sheriff of the county, and on the afternoon of the 17th instant proceeded to the neighborhood to arrest the offenders, as provided in section 25 of "Act for enrolling and calling out the national forces," &c. Arriving at the place we quietly commenced a search for the offenders, when without provocation we were suddenly attacked by about 500 laborers, who appeared at a given signal, armed with clubs and stones, which were mercilessly hurled upon us until we were driven entirely from the neighborhood. Both the deputy sheriff and myself were severely though not seriously injured. There are in and about the quarries about 1,000 laborers, all Irishmen. That they are organized and determined to resist the enrollment and draft I am entirely satisfied from my own observation and from information previously received from reliable civil officers and citizens, and I am satisfied from information received from these persons, as well as from their employers, that they have been collecting arms and ammunition for three months past, and are all, or nearly all, supplied. They openly avow their intention to resist with arms any attempted enforcement of the enrollment or draft. The enrollment can only be made by force of arms, and I respectfully request that a force of 200 good efficient infantry at least be sent to this station without delay for that purpose. There is not an organized company of regular volunteers of militia in this State.

I have the honor to be, general, very respectfully, your obedient servant,

C. R. CRANE,
Captain, and Provost-Marshal First District of Vermont.

[Indorsement.]

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Montpelier, Vt., June 18, 1863.

Respectfully forwarded, and recommend that a military force may be sent to Rutland.

T. G. PITCHER,
Brigadier-General and Actg. Asst. Provost-Marshal-General.

[JUNE 19, 1863.—For correspondence relating to raising troops in Delaware, see Schenck to Cannon, Series I, Vol. XXVII, Part III, p. 221.]

HEADQUARTERS OF THE ARMY,
Washington City, D. C., June 19, 1863.

Maj. Gen. A. E. BURNSIDE,
Cincinnati:

GENERAL: I have recently conversed with several prominent citizens of Ohio and Indiana, including Governor Morton, and they are unanimously of the opinion that the policy of appointing district commanders in those States is injurious. They say that it conveys to the people an idea that they are being subjected to military constraint; that difficulties are multiplied between the civil and military authorities, the former taking offense at the assumption of the latter; that the public feeling is becoming strong that these military commanders, with their numerous staffs, had much better be in the field fighting the enemy than in exercising unnecessary military authority in the loyal States.

I know that representations to the same effect have for some time been made to the War Department, and I think it would be well for you to consider this matter and the propriety of withdrawing these district commanders and leaving the control, as much as possible, in the hands of the Governors and civil authorities. For example, why not leave Governor Morton, with the commanding officer at Indianapolis, to manage affairs in that State and put General Willcox and his staff in the field? I know that Willcox is an excellent officer, but he is a stranger in Indiana and is not likely to understand their political squabbles. The Governor has made no complaints of him or of any one else, but he does not see any necessity for his being there at all. Moreover, there are daily applications for more generals in the field, with recommendations innumerable to make new ones, for which there are no vacancies. Now, if generals can be spared for the unimportant duties of commanding districts in the loyal States, where there are only a handful of troops, they should be sent to other armies in the field, where they are greatly wanted.

I write this simply as a suggestion for your consideration.

Very respectfully, your obedient servant,

H. W. HALLECK,
General-in-Chief.

WASHINGTON, *June 19, 1863.*

MY DEAR SCHOFIELD: The only force I will have in many places to enforce the enrollment and draft will be the Invalid Corps.

I wish you would do all you can to facilitate the creation of this corps. It is the intention to put into it only those who are unfit for field service; thus the rolls of troops in the field will be relieved of these absentees and their places can be filled with drafted men. All men now necessarily kept about hospitals will thus come on the rolls of Invalid Corps instead of being on detached service from their various companies.

Those required as attendants, &c., about general hospitals should be put into companies together and kept where they are under their new company officers, and all others sent to Colonel Alexander to be organized into companies for provost-guards in the different Congressional districts. The board I asked you to detail was to hurry the organization of those now at hospitals and convalescent camps in your department. I want to make up all the available companies I can to send to those Congressional districts which are likely to be troublesome in the draft. Can't you help me in it? I know you have your own troubles and labors, but you can bear 'em.

Yours, truly,

JAMES B. FRY.

HEADQUARTERS DEPARTMENT OF THE TENNESSEE,
Near Vicksburg, June 19, 1863.

Hon. A. LINCOLN,
President of the United States:

SIR: I beg leave very respectfully to call your particular attention to the inclosed letter from Maj. Gen. W. T. Sherman to me on the subject of filling the old regiments of the Army from the contemplated draft. I would add that our old regiments, all that remains of them, are veterans equaling regulars in discipline, and far superior to them in the material of which they are composed. A recruit added to them would become an old soldier, from the very contact, before he was aware of it.

Company and regimental officers, camp and garrison equipage, transportation and everything are already provided. He would cost Government nothing but his pay and allowances, and would render efficient services from the start. Placed in a new organization all these things are to be provided. Officers and men have to go through months of schooling, and, from ignorance of how to cook and provide for themselves, the ranks become depleted one-third before valuable services can be expected.

Taken in an economic point of view, one drafted man in an old regiment is worth three in a new one.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Major-General.

[Inclosure.]

HEADQUARTERS FIFTEENTH ARMY CORPS,
Walnut Hill, June 2, 1863.

Major-General GRANT,
Present:

DEAR GENERAL: I would most respectfully suggest that you use your personal influence with President Lincoln to accomplish a result on which it may be the ultimate peace and security of our country depends. I mean to his use of the draft to fill up our old regiments.

I see by the public journals that a draft is to be made, and that 100,000 men are to be assigned to fill up the old regiments, and 200,000 to be organized as new troops. I do not believe that Mr. Lincoln, or any man, would at this critical period of our history repeat the fatal mistakes of last year. Taking this army as a fair sample of the whole, what is the case? The regiments do not average 300 men, nor did they exceed that strength last fall when the new regiments joined us in November and December. Their rolls contained about 900 names, whereas now their ranks are even thinner than the older organizations. All who deal with troops in fact instead of theory know that the knowledge of the little details of camp life is absolutely necessary to keep men alive. New regiments for want of this knowledge have measles, mumps, diarrhea, and the whole catalogue of infantile diseases, whereas the same number of men distributed among the older regiments would learn from the sergeants and corporals and privates the art of taking care of themselves, which would actually save their lives and preserve their health against the host of diseases that invariably attack the new regiments. Also, recruits distributed among older companies catch up, from close and intimate contact, a knowledge of drill, the care and use of arms, and all the instruction which otherwise it would take months to impart. The economy, too, should recommend the course of distributing all the recruits as privates to the old regiments, but these reasons appear to me so plain that it is ridiculous for me to point them out to you, or even to suggest them to an intelligent civilian.

I am assured by many that the President does actually desire to support and sustain the Army, and that he desires to know the wishes and opinions of the officers who serve in the wood instead of the "salon." If so, you would be listened to.

It will take at least 600 good recruits per regiment to fill up the present army to the proper standard. Taking 1,000 as the number of regiments in actual existence, this would require 600,000 recruits. It may be the industrial interests of the country will not authorize such a call, but how much greater the economy to make an army and fight out this war at once. See how your success is checked by the want of prompt and adequate enforcement to guard against a new enemy gathering to the rear. Could your regiments be filled up to even the standard of 700 men for duty, you would be content to finish quick and well the work so well begun. If a draft be made, and the men be organized into new regiments instead of filling up the old, the President may satisfy a few aspiring men, but will prolong the war for years and allow the old regiments to die of natural exhaustion. I have several regiments which have lost honestly in battle and by disease more than half their original men, and the wreck or remainder, with colonel, lieutenant-colonel, major, ten captains, lieutenants, &c., and a mere squad of men, remind us of the army of Mexico—all officers and no men. It would be an outrage to consolidate these old, tried, and veteran regiments and bring in the new and comparatively worthless bodies. But fill up our present ranks, and there is not an officer or man of this army but would feel renewed hope and courage to meet the struggles before us.

I regard this matter as more important than any other that could possibly arrest the attention of President Lincoln, and it is for this reason that I ask you to urge it upon him at this auspicious time. If adopted, it would be more important than the conquest of Vicksburg and Richmond together, as it would be a victory of common sense

over the popular fallacies that have ruled and almost ruined our country.

With great respect, your friend and servant,

W. T. SHERMAN,
Major-General.

WAR DEPARTMENT,
Washington City, D. C., June 19, 1863.

Governor CURTIN,
Harrisburg:

Alexander Cummings, esq., of Philadelphia, has applied to this Department for authority to raise a regiment of volunteer cavalry for three years or during the war, which authority will be granted him if it meets your approbation. Please inform me immediately whether you approve of the authority being given him. The necessities of the service requiring cavalry, the Department desires to afford encouragement to raising this arm of service.

EDWIN M. STANTON,
Secretary of War.

HARRISBURG, *June 19, 1863.*

Hon. E. M. STANTON:

I will appoint if it is your pleasure to make the order for Mr. Cummings for a regiment of cavalry.

A. G. CURTIN.

[JUNE 19, 1863.—For correspondence relating to raising troops in Pennsylvania, see Curtin to Stanton, Series I, Vol. XXVII, Part III, p. 222.]

HARRISBURG, *June 19, 1863.*
(Received 6 p. m.)

Honorable SECRETARY OF WAR:

Troops are being mustered rapidly to serve during existing emergency.

D. N. COUCH,
Major-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 19, 1863.

Capt. R. I. DODGE,
Harrisburg, Pa.:

The Secretary of War declines to sanction any departure from the mustering regulations in mustering militia forces. The established mustering regulations must therefore be observed.*

T. M. VINCENT,
Assistant Adjutant-General.

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*See Stanton to Couch, June 20, 12.25 p. m., Series I, Vol. XXVII, Part III, p. 289.

[JUNE 19, 1863.—For correspondence relating to raising troops in Wisconsin, see Salomon to Stanton, Series I, Vol. XXVII, Part III, p. 222.]

GENERAL ORDERS, No. 182. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, June 20, 1863.*

I. Under the requirements of section 20 of the act "for enrolling and calling out the national forces, and for other purposes," approved March 3, 1863, it is ordered that the following rules shall govern whenever a regiment is "reduced below the minimum number allowed by law," but is of a strength above half the maximum:

INFANTRY.

1. Each regiment will be deprived of the colonel and one assistant surgeon. Each company—provided it is reduced below the minimum—will be deprived of the second lieutenant.

CAVALRY.

2. Each regiment will be deprived of the colonel, one major, and one assistant surgeon. Each company—provided it is reduced below the minimum—will be deprived of the second lieutenant.

ARTILLERY.

3. Each regiment will be deprived of the colonel, one major, and one assistant surgeon. Each company (battery)—provided it is reduced below the minimum—will be deprived of the additional officers authorized to be added at the President's discretion. (See G. O. 110, A. G. O., 1863.)

There being no minimum for artillery fixed by existing orders, the minimum for the object herein named will be 1,044 aggregate for a regiment, and 86 aggregate for a battery.

II. In reaching the reduced standard herein fixed, all officers in the enumerated grades—now properly in service—will be retained until the said grades become vacant by the usual casualties of the service. After the reductions are thus made the reduced proportion will be maintained, and no appointments to vacancies—in the grades enumerated—will be made, except upon notification, from the commissary of muster for the department or corps, that the regiment is above the minimum. To this end the commissary of musters will report weekly to the Governor of the State, or appointing power, through the commanding general of the department or corps. The said report will embrace the designation of the regiment—or other organization—the name and rank of the party creating the vacancy, with the date and cause thereof. If an order has been issued in the case, its number, date, and source must be given.

Commissaries and assistant commissaries of musters will be held accountable that no musters are made in violation of this paragraph.

III. The following is the section of the act referred to and under which the foregoing is ordered:

SEC. 20. *And be it further enacted*, That whenever a regiment is reduced below the minimum number allowed by law, no officers shall be appointed in such regiment beyond those necessary for the command of such reduced number.

IV. No provision herein is intended to interfere with the requirements of General Orders, No. 86, current series, from this office, when regiments have been, or may become, "reduced to one-half of the maximum number prescribed by law."

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR } WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
No. 32. } *Washington, D. C., June 20, 1863.*

As a rule, the Invalid Corps will be subsisted by requisitions for rations in kind, made on the most convenient purchasing or issuing commissary.

When it is impracticable to obtain provisions in this manner, the acting assistant commissary of subsistence for the command will purchase rations in the most convenient market.

Fresh beef will be furnished by the acting assistant commissary of subsistence of the command on the best contract he can make.

Every independent command of the Invalid Corps must have one of its officers to act as acting assistant commissary of subsistence and acting assistant quartermaster, whose duty it shall be, as in other branches of the service, to see that the supplies from the commissary and quartermaster's departments, for the troops, are duly provided.

Requisitions for commissary and quartermaster's property will be approved by the senior officer present for duty at the station with the troops of the Invalid Corps as "commander of the post," orders having been given by those departments to issue on such requisitions.

Requisitions for ordnance will be forwarded to the Provost-Marshal-General, in duplicate, at Washington.

It being highly important to keep the Invalid Corps as a corps of honor and of veterans, it is hereby ordered: That all discharged soldiers of good character, and not liable to draft, whether discharged from the Regular Army or volunteers of this war, or any time previous, may be enlisted in the Invalid Corps, notwithstanding that the disability under which they may have been discharged has disappeared, and notwithstanding that they are over forty-five years of age, provided that they are able to do duty in the Invalid Corps.

Enlisted men transferred to the Invalid Corps will be transferred in the same rank as they held in the active service, and will only be so transferred to serve their unexpired term. They may be discharged and re-enlisted in the Invalid Corps, if they so prefer, for the purpose of settling up their accounts, but their enlistment will then be for three years, unless sooner discharged.

Officers of active regiments appointed to the Invalid Corps will send in to the Adjutant-General their resignations of commissions in their former regiments, to date the day previous to date of acceptance of appointment in the Invalid Corps, that their accounts may be properly settled.

Only infantry is authorized in the Invalid Corps, and such non-commissioned officers only as the law allows to a company of infantry.

Men who enlist in the Invalid Corps will be enlisted as privates, and will be eligible to promotion as commissioned and non-commissioned officers, according to the general regulations of the U. S. Army.

The number of companies mentioned in Circular No. 13, from this Bureau, for each State is not restricted, but is given only as a limit to the depot camps in such States.

JAMES B. FRY,
Provost-Marshal-General.

[JUNE 20, 1863.—For correspondence relating to raising troops in Illinois, see Yates to Stanton, Series I, Vol. XXVII, Part III, p. 241.]

NEW YORK, *June 20, 1863.*

Hon. E. M. STANTON:

The rebel cavalry have made a raid into Indiana, and as making raids seems to be their settled policy, I beg you will send 1,000 pistols, 1,000 sabers, and 1,000 carbines to Indiana, that I may organize a company of cavalry in each border county for State defense. The cavalry heretofore raised for State defense has left the State and gone into the field long ago.

O. P. MORTON,
Governor of Indiana.

WAR DEPARTMENT,
Washington, D. C., June 20, 1863.

Governor MORTON,
New York:

Your request shall be attended to forthwith.

EDWIN M. STANTON,
Secretary of War.

CINCINNATI, *June 20, 1863.*

General WILLCOX,
Indianapolis, Ind.:

Please report at once the state of affairs in Sullivan County. Is the enrollment proceeding there?

A. E. BURNSIDE,
Major-General.

INDIANAPOLIS, *June 20, 1863.*

Major-General BURNSIDE:

Your dispatch received this a. m. at 9.50. The state of things in Sullivan County is such as will require the most prudent management. An ugly state of affairs exists there, partly provoked by the indiscretion of our own troops and partly by the disloyal element. The enrollment has scarcely been made, and is now interrupted, but I think with the co-operation of Mr. Voorhees and other prominent democrats it can be accomplished without extensive armed resistance. But if troops must be sent to enforce it, it will require a large force. It is the opinion of the U. S. marshal and provost-marshal-general of the State that all peaceable measures should first be exhausted, and such is my own view. But we must be ready for the alternative.

I shall learn more on Monday and telegraph you again.

O. B. WILLCOX,
Brigadier-General.

CINCINNATI, *June 20, 1863.*

General WILLCOX,
Indianapolis, Ind.:

I am clearly of the opinion that martial law should be declared in Sullivan County, and unless special reasons to the contrary exist, shall declare it. Take no action without hearing from me. I do not like advisers of the stamp of Mr. Voorhees. Peace measures may be kept up too long. Compromising with traitors in arms is not a good policy, particularly in the beginning of trouble. Do not leave Indiana for the present.

A. E. BURNSIDE,
Major-General.

INDIANAPOLIS, IND., *June 20, 1863—7.30 p. m.*

General BURNSIDE:

I think there are reasons enough against declaring martial law at present in Sullivan County. The coroner held an inquest over the man who was killed, and the murderer could not be found; yet it was thought to be a deserter. Let us wait until Monday or Tuesday to see whether the enrollment can be peaceably finished.

The facts are difficult to get at. Do not understand me to advise with Voorhees, but he undertakes to influence the citizens to submit to the laws, the arrest of the murderers, deserters, &c. The people who threaten to resist are ignorant and irresponsible, and it is claimed are not countenanced by the respectable, even Democrats.

O. B. WILLCOX,
Brigadier-General.

STATE OF INDIANA,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Indianapolis, June 20, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: I have the honor to inclose you a copy of a communication received from Capt. R. W. Thompson, provost-marshal Seventh District, relative to affairs in Sullivan County. I have conferred fully with General Willcox, commanding this district. He had an interview with Hon. Daniel Voorhees, who represents the Seventh District in Congress. Voorhees professes to greatly desire to avoid the effusion of blood, and pledged himself to go immediately to Sullivan County (seeing Capt. R. W. Thompson, provost-marshal, on the way) and exert all the influence he possesses to secure the peaceable enrollment of that county. If Voorhees faithfully keeps his promise I have no doubt the enrollment will be made without disturbance.

In the meantime General Willcox is preparing to send a force (if this arrangement fails) that will be sufficient to vindicate the authority of the Government.

At my request the Hon. Caleb B. Smith, judge of U. S. district court for this district, has reconvened the grand jury to indict persons arrested for obstructing enrollment. The Boone County offenders had a hearing which commenced on Thursday and ended yesterday, and resulted in nearly all of them being recognized to answer indictments. The district attorney was engaged in court and could not attend to the preliminary examination, and as the defendants were

represented by able attorneys, I felt it to be my duty to attend the examination on behalf of the Government myself, as there was no provision for employing an attorney. Inclosed I send you a slip cut from a newspaper giving a report of the examination?* The report does not contain all the evidence.

The militia regiment sent to Fulton County to protect enrolling officers some days ago has not been heard from, and from that fact I infer that they have had no further trouble.

I had a report yesterday, that seemed to be reliable, that an enrolling officer had been shot in Brown County. I immediately telegraphed to the provost-marshal of the Third District, whose headquarters are in the county adjoining Brown, and this morning received a reply that no such report had reached him. I am now satisfied there was no truth in the report.

Those men implicated in the Rush County murder are in custody of the civil authorities, and the loyal citizens and detectives are still engaged in collecting evidence which may implicate others.

I have the honor to be, colonel, very respectfully, your obedient servant,

CONRAD BAKER,
Colonel and Actg. Asst. Provost-Marshal for Indiana.

[Inclosure.]

PROVOST-MARSHAL'S OFFICE,
Terre Haute, June 18, 1863.

Col. CONRAD BAKER,
Assistant Provost-Marshal-General:

SIR: I notified you this afternoon that one of the enrolling officers of Sullivan County, Fletcher Freeman, had been murdered this morning about 8 o'clock. He was shot in the road near his residence, the ball entering his left breast and causing death almost immediately. I also prepared a brief note upon the subject, but it was too late for the cars. I now write again more fully, although if it is possible for me to leave home I will go over to Indianapolis on the cars in the morning.

This murder, in my judgment, presents a most serious question, for it is evident that unless some step is taken promptly in reference to it the enrollment of that county cannot be completed.

I have a letter already from there in which I am informed that the Union citizens almost consider themselves as abandoned to the mercy of bands of outlaws who are led by desperate men, and that it will be impossible, if things remain in their present condition, to get anybody to undertake the work left unfinished by Mr. Freeman, who was enrolling two townships, as in one of them no other person could be found to undertake it.

But what is to be done is an important question, and should not be decided precipitately. That the men who murdered Freeman belong to those who have been lately in the habit of meeting in Sullivan and Greene Counties for military drill, there can be no doubt. These men have resolved at their public meetings that the enrollment should not take place, and have notified the enrolling officers that if they went on with it they must do so at their peril.

Their numbers are variously estimated. Some of them, who are in the habit of boasting of their strength and their ability to defy the Government, say that they have 2,000 already armed and as many

* Omitted.

more in Illinois who will come to their assistance when necessary. I do not put much confidence in this statement, yet have no doubt, from all the information I can get, that their numbers exceed 1,000—possibly reach from 1,200 to 1,500—armed with squirrel rifles, guns, and pistols, and knives. These men are generally exceedingly ignorant and are completely under the control of a few leaders, who keep them excited and inflamed to an intense degree by all sorts of stories about Government oppression, outrage, &c.

Just as I have written thus far, 9.30 o'clock at night, I have had an intercourse with a citizen of Sullivan just from there, who brings me word directly from a man in the confidence of the disaffected party that they say they are ready for a fight, and that they think they can raise 3,000 men in this State and Illinois. It is, therefore, within the range of probability that if a military force is sent down there will be a fight. By all means, then, if this is done, let it be large enough to do the work up well. It would do no good to send a few men. I am convinced that it would only make the matter worse. I would send also a few pieces of artillery. This man also tells me that they have resolved to tear up the railroad bridges and track some time before the troops can reach there, and that it may probably be done before morning.

If these people mean to fight, then the sending of troops down there will result in war at home, and this is a consideration of the utmost magnitude. Of course they will say that the Government has made war upon them by sending troops there because a man was murdered—a thing which has often occurred before. If, however, they get together under arms or destroy the railroad, or make any other warlike demonstration, this will show that the murder was the result of a concerted plan and take away from them all pretext of innocence.

All these considerations are of the gravest character, and I am sorry Governor Morton is not at home. I fear if nothing is done before he returns that the remaining enrolling officers in Sullivan will be driven off or murdered, and there may be the same thing in other counties.

The fact is, that in my opinion the thing has to be met, and effectually, or else it will now be impossible to enroll a number of townships.

The papers (completed) were stolen in one township of Owen County a few nights ago. Also one in Clay, and in many places they have resolved that they shall never leave the counties.

If I could I would go over in the morning, but cannot, as the business in my office requires my personal presence all the time.

I have no time to copy this letter, and must ask you to have it copied for me.

Yours, very respectfully, &c.,

R. W. THOMPSON,
Provost-Marshal.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, June 20, 1863.

Hon. SCHUYLER COLFAX,
South Bend, Ind.:

There is a lamentable want of activity and efficiency in the Board of Enrollment in your district. Please invigorate them. I write you by mail.

JAMES B. FRY,
Provost-Marshal-General.

[JUNE 20, 1863.—For correspondence relating to raising troops in Pennsylvania, see Stanton to Wright and Scott; Wright and Scott to Stanton; Stanton to Couch; Stanton to Wright and Scott; Stanton to Couch; Couch to Stanton; Brooks to Stanton; Stanton to Brooks, Series I, Vol. XXVII, Part III, pp. 239–241.]

WAR DEPARTMENT,
Washington City, D. C., June 20, 1863.

Governor CURTIN, *Harrisburg:*

If authority shall be given to Mr. Cummings to raise a regiment of cavalry it will be restricted as to time and territorial limits and a copy of the authority will be forwarded to you.

EDWIN M. STANTON,
Secretary of War.

[JUNE 20, 1863.—For Wallace to Green, reporting affairs in Holmes County, Ohio, &c., see Series I, Vol. XXIII, Part I, p. 395.]

HARRISBURG, *June 20, 1863.*
(Received 10.20 a. m.)

Hon. E. M. STANTON:

In order to get men mustered into service we deem it absolutely necessary that they be received in any number presented for a company when they exceed the number presented on the militia laws of Pennsylvania. Please authorize Major-General Couch to receive them and require mustering officers here to carry out promptly all orders the general may give without referring the case to Washington. If you understood the difficulties that exist here to get men sworn in, we are satisfied you would direct the general to assume any responsibility and sustain him in his action. We send you this without the knowledge of the authorities here, and believe it essential to the organization of forces.*

J. A. WRIGHT.
THOS. A. SCOTT.

HEADQUARTERS DEPARTMENT OF THE NORTHWEST,
Milwaukee, June 20, 1863.

Col. J. B. FRY,
Provost-Marshal-General, Washington:

COLONEL: Your letter of the 16th instant is received. I learn from it for the first time that "the enrollment in Milwaukee had been actually abandoned and a resort had to the poll lists," &c. No such statement has ever been made to me, nor does it accord with my knowledge of the facts. The enrollment in Milwaukee was completed some days since, strictly according to law, and by the aid of the municipal police force alone. I was satisfied from the beginning that this could be done, and therefore declined to supply the requisition of the provost-marshal for troops until it was at least tried. I stated to the General-in-Chief some time since that the appointments of

*For reply, see 10.30 a. m., Series I, Vol. XXVII, Part III, p. 239.

assistant provost-marshals in this department had not always been judicious, and that I feared trouble from the want of discretion and common sense of many of them in the discharge of their duties. They have already made requisition for troops which results have shown to be wholly unnecessary. The habit of resorting to military force in every trifling case of resistance or opposition to the laws is becoming sufficiently common to be alarming. Such a practice entirely supplants the civil authorities, sets aside time-honored means for the enforcement of the laws of this country, destroys in the citizen that feeling of personal interest in their execution through which alone we have maintained popular government, and prepares the public mind for the complete abdication of civil rule. I conceive it to be wisdom therefore to execute this conscription law by the aid of the civil authorities and the usual action of the people in obedience to them, and not until the last extremity to call upon the military for such service. I believe that in nearly every case in this department this law can be enforced without the use of soldiers.

The War Department has (I think judiciously) left the use of troops in this respect discretionary with department commanders. In every case in which I believe military force necessary to enforce the law completely I will furnish it on the requisition of the assistant provost-marshal-general for any of the States in this department; when I do not so believe I will notify him that he may communicate with you for such further action as the Government may think judicious.

I need not tell you that much and serious difficulty in the execution of this law may be made by indiscretion, imprudence or worse, nor how carefully rash and ill-advised proceedings should be avoided in the enforcement of a law which is, to say the least, not very palatable. It is much easier to make trouble than to control or subdue it.

You are not more earnest than I am to see the laws of the United States literally and promptly executed, but I consider it altogether for the interest of the Government that they should as far as possible continue to be enforced by the means usual in times past. It is neither wise nor politic to encourage the people to resort, on every trifling pretext of difficulty, to military force in the execution of civil law. Though such a practice may save the people time and trouble temporarily, it leads surely to the destruction of that feeling and habit upon which our civil institutions are based.

I am, colonel, respectfully, your obedient servant,

JNO. POPE,
Major-General, Commanding.

[JUNE 21, 1863.—For correspondence relating to raising troops in New York, see Stonehouse to Stanton; Stanton to Stonehouse, Series I, Vol. XXVII, Part III, p. 253.]

STATE OF INDIANA,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Indianapolis, June 22, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: I have the honor to report that the expedition sent a week ago to Fulton County, in the Ninth District, returned to-day, having

successfully accomplished the object for which they were sent. They remained there until the enrollment of the county was completed. The expedition consisted of one full company of infantry, and was sent because one of the enrolling officers had been captured and his enrollment lists taken from him. He was not able to identify the persons who committed the outrage, but several desperadoes absconded before the military arrived, and are believed to have been engaged in it. They were doubtless encouraged by others who remained in the background.

The provost-marshal of the Ninth District, Capt. W. W. Wallace, was with the expedition, and was met by leading men of the county belonging to the disaffected party, who stated that all the trouble grew out of the fact that the enrolling officer was obnoxious to the people, and if another person was appointed there would be no trouble.

Captain Wallace very properly told them that if there was any reasonable objections to the officer and they had quietly made them known to the Board of Enrollment before any resistance had been offered, the objections would have been considered; but as the officer had been resisted without making any application to the Board for his removal, the enrollment must now be completed by the same officer who had commenced it, and it was thus made.

I have just received a telegram from Captain Thompson, of the Seventh District, saying that Voorhees is in Sullivan County exerting himself with his party friends in favor of a peaceful enrollment of the county, and that the prospect now is that it will be accomplished. I procured a small cavalry force from General Willcox this evening and sent it with the provost-marshal of the Fourth District to another township of Rush County, in which the enrolling officer had received formal notice not to proceed with the enrollment.

The provost-marshal has instructions to protect the officers in making the enrollment and arrest the parties who gave the notice.

I think the prospect now is that the enrollment will be completed throughout the State without a serious conflict, but I shall not be at all surprised if when the draft comes to be made there should be such opposition as will require a resort to extreme measures. I think preparation should be made for such a contingency.

I have the honor, colonel, to be, very respectfully, your obedient servant,

CONRAD BAKER,
Colonel and Actg. Asst. Prov. Mar. Gen. for Indiana.

STATE OF INDIANA,
OFFICE OF PROVOST-MARSHAL NINTH DISTRICT,
La Porte, June 22, 1863.

Col. CONRAD BAKER,
Acting Assistant Provost-Marshal-General:

SIR: I received your telegraph dispatch afternoon June 13, instructing me to repair to Logansport at once. It being Saturday evening when the order was received, I could not reach Logansport sooner than Monday morning.

I arrived at Logansport on Monday morning and met Capt. J. H. Farquhar and Capt. ——— McArthur and his command. Captain Farquhar and myself reached Rochester, Fulton County, on Monday night, June 15. We had a consultation with some of the leading

citizens there and were assured that there has been a determination on the part of a large number of the citizens of New Castle Township to resist the enrollment. We went into the township on Tuesday; on Wednesday the enrollment was again commenced by two enrolling officers, each accompanied by a gang of eight soldiers.

The enrollment was completed without difficulty or interruption on Friday. Saturday morning we marched on our return; arrived at Logansport on Sunday night. This morning arrangements were completed for the troops to return to Indianapolis and I started for my headquarters; arrived this evening. While in Fulton County Captain Farquhar and myself worked diligently to detect the parties who were guilty of or implicated in obstructing the enrolling officers. We found the enemies of the Government so thoroughly organized as to prevent our getting sufficient information to warrant the arrest and retention of any parties that we could then find. From the information we got we felt confident that we were informed of two or three persons who were active participants in the assault on the officers. I made every effort to apprehend the last named, but could not find them either in daytime or night. They had disappeared upon our arrival in that vicinity.

I arrested two men upon suspicion, based upon statements made to me, but after holding them for a few hours discharged them for want of evidence. I am confident that I will yet be able to point out the guilty parties and bring them to justice.

I regard the expedition as a very necessary one and believe that it has preserved quiet not only in Fulton County, but in other neighboring counties which I think may not have been maintained without. As Captain Farquhar will report to you on his arrival, I regard it unimportant that I should say more.

Very respectfully,

W. W. WALLACE,
Provost-Marshal Ninth District of Indiana.

SAINT LOUIS, MO., *June 22, 1863.*

Brig. Gen. M. C. MEIGS,
Quartermaster-General, Washington, D. C.:

GENERAL: When at Washington in November last you requested me to make you a written report upon the subject of railroad transportation in this department. I did not anticipate so long a delay in doing it would occur. Owing, however, to my absence with General Grant during the winter and a constant pressure of business since my return, I have been unable to do so till the present time.

Soon after General Allen placed me in charge of railroad transportation in the winter of 1861–'62, Major-General Halleck instructed me to provide, if possible, some rules for correcting the manifold and flagrant abuse, which induced his General Orders, Nos. 6 and 15. On examining I found passes for Government transportation were being issued by almost any Government officer choosing to do so, and that many persons having no right, some of them not even in any way connected with the army, were traveling at Government expense.

There seemed to be no checks or restrictions. Railroad companies took such passes supposing them good, and made just complaints when they could get no settlement. Possessing, myself, but a limited knowledge of the regulations or of the customary forms, I prepared a few such rules as should restrict the duties to proper officers, secure

regular and frequent reports of all passes issued, by promptly examining which the responsibility could be fixed upon the proper party, and so check irregularities. A copy of these rules and sundry others, which experience led me to think useful, I inclose herewith.*

The change was fully equal to my anticipations. At the end of the first month all reports were examined, and there was scarce an officer that was not notified that by the order of the assistant adjutant-general certain passes improperly granted were charged to him, amounting in the case of certain prominent officers to several hundred dollars.

By an arrangement with the railroad companies I obtained their consent to lose the amount of these errors for the first two months rather than make the loss fall upon these officers, and at the same time furnished then the rules enabling them to know when to receive or refuse orders for transportation. At that time General Halleck's department embraced nearly all the country west of the Alleghanies, and these rules when understood were very satisfactory to the railroad companies, and I believe also to army officers throughout the department. Since then we have seldom had improper passes presented. Accounts have been as easily adjusted and settled as ordinary railroad accounts. At an interview in Washington with Colonel McCallum, who has had great and varied experience, he expressed the opinion that some similar plan securing uniformity and greater safeguards would be of great benefit and should be adopted throughout the service. I do not see why this could not and should not be the case, or why it is necessary to have as various forms and rules as there are officers furnishing transportation. I could give you instances frequently occurring by which the Government is greatly wronged, and which, I think, by some uniform plan could be prevented. I will only give a single case, which I know frequently occurs. A pass is given to John Smith and say forty men to Wheeling, Va. He takes the pass to the railroad office and procures forty-one coupon tickets. Usually but a part go at all, say thirty. The other eleven tickets are sold, given away, or not used. Again, in other cases I have discovered the route has been changed, and not half the distance traveled over, yet the Government has paid for the entire number the entire distance.

To correct this I directed that passes should not be exchanged for coupon tickets, that separate passes should be issued for each and every road to be traveled over, requiring that each road should produce in settlement the separate pass issued for its service, duly certified, for only the men actually transported. The consequence is we have now great numbers of passes returned with less numbers certified to than the order covers. I will not detain you by giving the particular object of other rules; I have found them useful. With more leisure than I have to give the subject, other rules and changes might no doubt be adopted which would be of still greater benefit. I cannot see why the following changes could not be readily made with certainty of improvement, viz:

First. Have blank forms for all transportation papers of every kind adopted and regularly issued from Washington as in other cases of blanks.

Second. Select a blank form of pass, concise and simple, with blank receipt on the back similar to the one inclosed.*

Third. Let them be lithographed either with the Quartermaster-General's or some other name where my name now appears.

*Omitted.

Fourth. Have the marginal register for the same purpose I use them.

Fifth. Let these blank books of passes be sent in sufficient numbers to the chief quartermaster of each department, or to some assistant quartermaster in charge of transportation and charged to him, as railroad companies charge coupon tickets to connecting roads.

Sixth. Let him issue these blank books to a single officer at each post where transportation may be demanded, and require a prompt return to him of the marginal registers at the end of each month, the same to be carefully examined, that errors may be immediately detected and the officer wrongly issuing passes charged with the same.

Seventh. As a general rule I think all transportation accounts or vouchers in each department should be referred to the transportation quartermaster for payment. In this way transportation passes would be as uniform and as valuable as Treasury notes, and whether in New York, New Orleans, or California, would be well known and recognized by every mode of conveyance in the country.

The counter signature of the officer issuing them would be that which gives validity, and could always be easily traced. The business would be simplified and restricted; mistakes or frauds, instead of being deducted when accounts are examined a year afterward at Washington after the errors had continued for months, would be discovered at the end of each month by the return of marginal registers, and if the accounts or vouchers were ordered to be paid by the same officer the original passes could be compared with marginal registers and thereby another check obtained. The operation of this plan was illustrated by Colonel McCallum as per the inclosed draft.*

In conclusion I would add that I am far from having any partiality for the rules or forms I have adopted. On the contrary, I think they can be improved with more time and experience than I have. I only feel confident that there should be some uniform plan simplifying and securing Government by more checks and greater safeguards against manifest wrongs, which I am sure are now constantly occurring, and this I have no doubt might be done by submitting the whole subject to Colonel McCallum or other railroad experts.

Very respectfully, your obedient servant,

LEWIS B. PARSONS,
Colonel and Assistant Quartermaster.

FIFTH DISTRICT OF NEW JERSEY,
OFFICE OF PROVOST-MARSHAL,
Newark, June 22, 1863.

Lieut. Col. R. C. BUCHANAN,
Actg. Asst. Prov. Mar. Gen. of the United States, Trenton, N. J.:

COLONEL: I have the honor to report that on Saturday morning last, taking with me my deputies and the deputy U. S. marshal with a civil posse, I went into the locality in the eleventh sub-district of my district where the most serious obstructions were offered the enrolling officer in the discharge of his duty. Every house was visited and inquiry made for persons subject to enrollment. Several disorderly persons having been arrested upon the first overt act the work was completed without serious resistance. This morning I called upon the marshal for another posse to accompany the officer into the seventh sub-district, the population in which is of the same character—

*Omitted.

laboring Irish. The officer, as I before reported to you, having been compelled to leave the locality, the marshal having declared himself unable to command a sufficient force, I applied to the surgeon in charge of the U. S. general hospital, who put at my disposal a sergeant and twelve men. Relying upon the effect of my action on Saturday, and pressed by official duties at my office, I did not esteem it necessary to go in person and committed the matter to one of my deputies. After an hour's absence the party returned, reporting that the obstructions and violence encountered compelled them to retire. Immediately upon the receipt of your dispatch I took in person a guard of eighteen men and a sergeant and went through the district, the only advantage derived being the exhibition of a determination to go through the district without hindrance. Practically the enrollment made under such circumstances is of no value. The men are not met with and the women close the houses or refuse to give information. If enrolled or drafted these persons could not be found or identified. I respectfully ask to be informed if the duty is discharged when the houses are visited and inquiry made, or if other measures are to be resorted to to obtain the names of these men. I await your further instructions before resuming the enrollment in these localities.

I am, sir, very respectfully, your obedient servant,

E. N. MILLER,

Captain and Provost-Marshal Fifth District of New Jersey.

[Indorsement.]

OFFICE ACTG. ASST. PROV. MAR. GEN., NEW JERSEY,
Trenton, June 23, 1863.

Respectfully forwarded for the decision of the Provost-Marshal-General.

Captain Miller reported to me by telegraph yesterday that his enrolling officer and escort had been driven off, and I directed him to increase it from the guard at the hospital, which had the desired effect. At the same time it would seem that the proper enrollment has not been made. In the absence of instructions I shall direct that the enrolling officers visit the various workshops and factories as well as the offices of contractors for public works, and ascertain whether their employés have been enrolled, by which means, perhaps, some of the delinquents may be discovered.

ROBT. C. BUCHANAN,

Lieut. Col. Fourth Infantry, Actg. Asst. Prov. Mar. Gen.

[JUNE 22, 1863.—For correspondence relating to forwarding New Jersey and New York militia to Pennsylvania, see Couch to Stanton, Series I, Vol. XXVII, Part III, p. 264.]

STATE OF OHIO, EXECUTIVE DEPARTMENT,
Columbus, June 22, 1863.

TO THE PEOPLE OF OHIO:

In answer to numerous letters of inquiry, touching the raising of troops for six-months' service under the President's recent call, I have to state:

First. That for want of time recruiting commissions are not issued. Volunteers are requested to go forward in unorganized squads to the

several camps of rendezvous named in my proclamation, and there organize, naming to me by letter or election the officers they wish appointed.

Second. The number who may thus volunteer will be credited to Ohio upon the quota ordered to be drafted; but the men who volunteer will still be subject to draft should we fail to fill our quota by voluntary enrollment, and if drafted the time they may serve as volunteers will be credited them.

Third. The regimental officers will be selected as far as possible from the company officers.

Fourth. Should the entire number asked for by the President respond to the call they will be organized as follows:

Twenty-five regiments of infantry, three regiments of cavalry, and three batteries of artillery, and in this proportion according to the number who may volunteer.

Fifth. These troops will be subject to the order of the Secretary of War for general service, but my opinion is they will be required merely, if not entirely, for border defense, and when not thus required will, after organization and a few weeks' drill, be furloughed home, subject to call. I cannot close this communication without announcing to my fellow-citizens that the danger of invasion from our eastern and southern borders is, in my opinion, imminent. It is hoped that nothing further is necessary to insure a prompt response to the President's call.

DAVID TOD,
Governor.

STATE OF OHIO, EXECUTIVE DEPARTMENT,
Columbus, Ohio, June 22, 1863.

TO THE PEOPLE OF OHIO:

An effort is being made to raise a regiment of colored men in our State. A camp of rendezvous has been established at Delaware, and everything is now in readiness to receive troops.

As the law providing for the support of families of soldiers does not reach this regiment, it has been determined by its friends to raise by voluntary subscription a fund for that purpose.

I have, therefore, respectfully to request all who favor the success of the effort to raise such a regiment to contribute to said fund.

The money thus raised shall be distributed by a committee consisting of Ex-Governor Dennison, Dr. G. Volney Dorsey, State Treasurer, Quartermaster-General George B. Wright, and Capt. R. Burr, U. S. quartermaster. It is recommended that remittances be made directly to Doctor Dorsey. The military committees of the several counties are requested to give the matter their immediate attention.

From present indications it is quite certain that at least one full regiment will be raised within the coming thirty days, and if a generous response shall be made to this proposition it is believed that a second regiment may be raised.

It may be proper to add that our State will have credit on its quota for all colored troops raised.

DAVID TOD,
Governor.

MILLERSBURG, *June 22, 1863.*

Governor TOD:

DEAR SIR: On Wednesday last, upon learning that troops had been sent into this county to aid the civil authorities, a few of us here in town agreed to make the effort to prevent a conflict. By 3 a. m. Colonel French and myself started for the scene of action, learning that many of the citizens were in arms, and that one of them, who lived some ways from there, had been shot, wounded. With difficulty we found some of them, and showed them that the enrollment was legal, that by the Constitution of the United States Congress was empowered to provide means for calling out the militia, and whether we approved of the law or not, still it was the law, and, as good, law-abiding citizens, should make no resistance; and by the law, when resistance was made, the provost-marshal had the power to arrest without warrant and hand over to the civil authorities for trial, and that a rescue from the provost-marshal placed the rescuers in the same category as if they had rescued from a civil marshal.

By our efforts they agreed to lay down their arms, first knowing the terms required by Colonel Wallace and the marshal. We repaired to the camp, and it was agreed that if the prisoners rescued were delivered up, together with thirteen of the most violent of the rescuers, that [the] rest might be dropped, but writs for others were already in the hands of the deputy marshal, over which he had no control, of course.

We repaired to the citizens in arms for consultation. Of this thirteen, most of them were French, and whereabouts in the hills they were located were known, and after an effort to find them without avail, the citizens agreed, as the only alternative they could offer, that the marshal might arrest or serve warrants and take all those who were implicated in the rescue without molestation.

We repaired to headquarters with our report, with three of the four rescued prisoners, pledging myself that the other should be in Cleveland on Saturday, the next day, which pledge was redeemed, and Colonel Wallace agreed to withdraw his force. The last part of the agreement has not been fully complied with, and what undue influence was brought to bear upon him after we left I know not, unless that influence which showed itself in camp by men professing religion, with others, to precipitate the forces upon the citizens, while we were trying to reconcile and prevent bloodshed.

Seventy-five or one hundred troops were left, and are a great annoyance to the people, entering the houses and stealing from the poor and defenseless as well as those who are able. Men as respectable and as truthful as there is in Ohio are here to-day, and at their instance I write this letter, requesting you to order their withdrawal. Men cannot leave their dwellings for fear of the soldiers. On yesterday, under the direction of one of the most unprincipled men in the township, fifteen soldiers were going from house to house under the pretence of hunting up prisoners. The citizens will bear it no longer. They will wait for your answer, and please to answer me as soon as possible, that I may be able to keep down this disturbance. I am sure that the deputy marshal can take unmolested any man he pleases if he has not left the country, for all I saw were willing to go with him when required.

Hastily and respectfully, yours,

D. P. LEADBETTER.

[First indorsement.]

Respectfully referred to Col. Ed. A. Parrott, provost-marshal-general, with the request that he give the matter his immediate attention.

DAVID TOD,
Governor.

[Second indorsement.]

OFFICE ACTG. ASST. PROV. MAR. GEN. FOR OHIO,
Columbus, Ohio, June 25, 1863.

Respectfully referred to Brigadier-General Mason, commanding U. S. forces, Columbus, Ohio.

ED. A. PARROTT,
Col. First Ohio Infty. and Actg. Asst. Prov. Mar. Gen. for Ohio.

[Third indorsement.]

HEADQUARTERS U. S. FORCES,
Columbus, Ohio, June 25, 1863.

Respectfully referred to Brig. Gen. J. D. Cox, commanding District of Ohio, with the information that I have directed the troops to withdraw to Mansfield upon being notified by the assistant provost-marshal of the district that their services are no longer required in Holmes County.

JNO. S. MASON,
Brigadier-General, Commanding.

ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., June 22, 1863.

THOMAS WEBSTER, Esq.,
Philadelphia, Pa.:

SIR: I am instructed by the Secretary of War to inform you that you are hereby authorized as the representative of your associate petitioners to raise in Philadelphia, or the eastern part of Pennsylvania, three regiments of infantry, to be composed of colored men, to be mustered into the service of the United States for three years or during the war. To these troops no bounties will be paid.

They will receive $10 per month and one ration, $3 of which monthly pay may be in clothing.

The organization of these regiments must conform strictly to the provisions of General Orders, No. 110, current series, War Department, a copy of which is herewith.*

The prescribed number of commissioned officers will be appointed as provided in General Orders, Nos. 143 and 144, War Department, 1863, copies of which are herewith inclosed,† and your special attention invited thereto.

An officer will be detailed to muster these troops into service by companies if necessary.

It must be distinctly understood that but one regiment is to be recruited at a time; thus, the organization of the first regiment must be completed and the regiment mustered into service before the recruiting of the second is commenced.

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*See p. 175.

†See pp. 215, 216.

The troops raised under the foregoing instructions will rendezvous at Camp William Penn, Chelten Hills, near Philadelphia, where they will be received and subsisted as soon as they are enlisted, and an officer will be assigned to duty at that post to take command of them on their arrival and make the necessary requisitions for supplies.

It is expected and desired that you should confer with Maj. Geo. L. Stearns, assistant adjutant-general, U. S. Volunteers, and recruiting commissioner for U. S. Colored Troops, now in your city, for the purpose of assisting you in this work. You will please keep him advised of your progress.

I am, &c.,

C. W. FOSTER,
Assistant Adjutant-General.

PHILADELPHIA, *June 22, 1863.*

Hon. E. M. STANTON:

The committee to supervise recruiting for colored regiments for the war think they can raise three regiments for the war provided no authority issues for raising colored troops for six months.

THOMAS WEBSTER,
Chairman of said Committee.

WAR DEPARTMENT,
Washington City, June 22, 1863.

THOMAS WEBSTER,
Philadelphia:

No authority will be given to raise colored regiments for a less period than three years or during the war.

EDWIN M. STANTON,
Secretary of War.

[JUNE 22, 1863.—For correspondence relating to West Virginia militia, see Boreman to Stanton, Series I, Vol. XXVII, Part III, p. 265.]

QUARTERMASTER'S DEPARTMENT,
OFFICE GENERAL SUPERINTENDENT OF TRANSPORTATION,
Saint Louis, June 23, 1863.

General R. ALLEN,
Chief Quartermaster, Saint Louis, Mo.:

GENERAL: Herewith, in accordance with General Meigs' request, I hand you some suggestions which have occurred to me as judicious for the more efficient and economical management of army river transportation in the West. I feel assured that there is great opportunity for improvement in this branch of the service, and think the suggestions I have made will tend in that direction. Experience would, no doubt, tend to further improvement. I have now been on duty here for about twenty months. What was the extravagance, confusion, and lack of system in this branch of the service when I was assigned to duty you are well advised, as you found the same prevailing everywhere in the department. You are also advised of such changes as I

have from time to time made with your approval, as also of the hundreds, thousands, tons of stores, and the hundred thousands of troops we have moved long distances. There has never during this time, so far as I am aware, been any accident to any boat causing the loss of life to a single soldier transported under my orders, though we have often encountered great dangers. The loss of property has been but nominal, except in the cases of the Sky Lark captured by guerillas and the recent loss by the burning of the Majestic. How much this success may be justly attributed to my efforts and those connected with me is not for me to judge. All I can say is that no will or effort has been wanting to do the best service I was capable of. No ulterior objects have for a moment led me aside. No motive beyond that of a desire to serve my country in its perils and secure so far as consistent therewith an honorable reputation, has prompted my action. Not one dollar of Government funds has been expended by me for any object which I did not deem important for the good of the country, and a no less rigid economy has been exerted than in private business transactions; of this much I feel conscious. This department of duty has been extremely laborious, responsible, and at times odious and thankless. If everything went well, it occasioned no comment. If anything went ill, complaints were sure to come. I have often desired other service, but have worked on in the hope of seeing an end to the war or some agreeable change. While the labor and responsibility of the Quartermaster's Department are, I think, greater than in any other branch of the service, the opportunities for honorable advancement seem well nigh closed. Last year I requested of General Halleck, and also of General Meigs, to be transferred to the line, but was at that time refused as my services were deemed important here. That period has now passed, others have become familiar with the duties of my position and can discharge them as well, and it seems to me that the request could now be properly granted, and that after nearly two years of such labor as I have had it is not unreasonable or improper for me to respectfully solicit that I may be transferred to the line and permitted to see something of actual service in the field. With a brief opportunity I feel assured I can acquire the knowledge essential to the proper performance of my duties. The service I saw last winter leads me to this conclusion. I beg, therefore, that you will present my urgent request to the Quartermaster-General that such transfer may be made so soon as I can get my accounts in order, which will be in a very few weeks.

Very respectfully,

LEWIS B. PARSONS,
Colonel and Assistant Quartermaster.

QUARTERMASTER'S DEPT., OFFICE OF TRANSPORTATION,
Saint Louis, June 23, 1863.

Brig. Gen. ROBERT ALLEN,
Chief Quartermaster:

GENERAL: I have examined with care the letter of the Quartermaster-General to you of May 23, with the inclosed copies of letters from Colonel Swords and Captains Schmidt, Jenkins, and Ferry. The reasons assigned for the extraordinary expense of transportation on the Ohio are, I have no doubt, in the main correct, and many of the suggestions for an improvement are, I think, good. The radical

objections to the proposed convention of steam-boat owners to fix rates are, that you cannot, as in the case of railroads, get at any tangible permanent body with which to negotiate. The interests are as numerous and varying as the boats, here to-day and remote to-morrow. Again, expenses and dangers vary with the season of the year, the kind of service from or to which boats are taken, the time engaged, whether employed in the transportation of freight or troops, and many other causes, owing to which it is almost impossible to fix upon any satisfactory rules, or to form a just judgment, even when an officer has had much experience and uses every effort to do justice. I fully concur with Colonel Swords in the opinion that the best and cheapest way of doing Government transportation is by the 100 pounds or by the piece, under general contracts. Had this course been adopted on the Ohio I have no doubt, from my own experience, that it would have saved a very large sum and great labor and annoyance to the Quartermaster's Department. When, by your order, I took charge of transportation at this point in the winter of 1861–'62, the charter system was the sole mode of doing Government transportation. Convinced that this plan was wrong in principle, with your approval I at once discharged every boat, and soon after made contracts by the piece or 100 pounds, and have never since that time chartered boats for general transportation, though we have transported hundreds of thousands of men, and hundreds of thousands of tons of freight. When I have chartered or impressed boats it has, with rare exceptions, only been done on the requisitions of superior officers, or in great emergencies admitting of no delay, and requiring the instant movement of large bodies of troops, as in the transfer of General Pope's army from New Madrid up the Tennessee, General Grant's army from Memphis to the Yazoo, or the like, and when time was deemed of too great importance to admit of negotiation, or when negotiations would only end in evident extortion. The result of the change was a great and marked improvement in every respect. We have secured unprecedentedly low rates, not half what has been paid for mercantile transportation during the same period. The business has gone forward with as perfect system and order as ordinary commercial transactions, and has been entirely satisfactory to all parties. All our troubles and complaints have arisen from the emergencies which I have mentioned, when nearly every transport was required (and most of them to lie idle for months at a time). I have no doubt but that the cost of Government transportation on the Ohio and its tributaries has been much greater than was necessary—perhaps even 40 per cent., as Captain Ferry asserts. I have no doubt, as Captain Ferry also states, that this increased expense has often arisen from the improper interference of line officers, and at others, from a lack of cordial co-operation of quartermasters. To my own knowledge, boats costing from $200 to $300 per day have been frequently most unnecessarily detained for many days in unloading. In other cases they have been kept nominally for other purposes, but really only to accommodate officers with quarters. In other cases they have been used in numbers, and for weeks and months, for storage, when a small sum properly expended would have built sheds or warehouses, ample for all purposes. For these evils and such others as exist there certainly can and should be found a remedy, and I will, in accordance with the request of the Quartermaster-General, make such suggestions as would, in my opinion, give a practical solution of most of them:

First. There should, I think, be appointed by the Quartermaster-General and stationed at some central point some officer who shall have the general superintendence of all steam-boat transportation of the West. The rivers of the West and the Government transportation upon them should be regarded as a unit. The boats are all similar and equally adapted to service on any of our rivers. Those upon the Alleghany, Wisconsin, and Illinois this week may be upon the Platte, the Yazoo, or the Red River next week. Those now loading at Pittsburg, Cincinnati, or Louisville will within a few days be at Saint Louis, Memphis, or New Orleans, all doing equally useful and profitable service, though their location is so largely changed. At present all Government transportation tends south, either to the Cumberland, Tennessee, or Lower Mississippi. Transportation to either of these rivers can, with an ordinary stage of water, be furnished either from Cincinnati, Louisville, or Saint Louis, though probably on an average cheaper from Saint Louis than any other point. Hence there should not ordinarily be any great difference of rates from either of these places. Again, this branch of the service is now of very great importance, of large expense, and intricate in its nature. Upon its proper management, in the prompt and rapid movement of troops and supplies, must greatly depend the success of our armies. These troops and supplies are constantly moving to remote points, regardless of department lines, and without this unity somewhere there must result confusion, inequalities, and greatly increased expense. With a proper officer, recognized as in general charge at some central point, where he could be readily reached from all places by telegraph, whose duty it should be to be advised of all certain or probable requisitions for transportation of troops or supplies, who should make or superintend all important contracts, and have ample authority in all matters pertaining to transportation, I think an important point would be gained.

Second. There should be placed and kept at several important points assistant quartermasters of most experience and best suited to this peculiar service.

Third. Transports should never be chartered when it is at all practicable to make contracts in the ordinary mercantile manner, by the piece, or 100 pounds, but general contracts should be made to cover, as far as possible, all our Western rivers.

Fourth. Concise reports should be made to this superintendent of transportation at least every week of all boats chartered or impressed, all contracts made or rates paid for transportation, so that he may be constantly advised of all boats in service and rates paid for the same. This would, I think, produce at once a great improvement, first, by causing officers to be more cautious in chartering or taking boats, resulting from the knowledge that they would be held immediately responsible. At present reports are only made to Washington, where, owing to the immense pressure of business, they are not examined for many months, when it is often too late to correct existing evils, and besides, the distance is so great they cannot then be very well advised of what is or is not really necessary, or what rates are just and reasonable, and hence millions are lost that might be saved by an earlier examination and more immediate responsibility. It frequently happens that boats are taken in an emergency and kept for months in service at high charters when their places might be supplied at Saint Louis or Cincinnati at greatly reduced rates. There are at the present time over fifty transports in the Government service on the

Lower Mississippi, many of them chartered or taken when rates were 25 or 50 per cent. higher than they now are, and the places of which could readily be supplied at great reduction of prices, and chartered with the right to keep a discharge on ten days' notice at any time, provided any one here had the authority to act.

I have in the last month been offered boats at from $40 to $60 per day that I could not have chartered three months ago at less than $70 to $80 per day. This is the season to engage boats cheapest, but as no reports are made except to Washington no one knows officially or has any power to act, and so this unnecessary expenditure must continue.

There are other minor changes as experience and observation should suggest that might no doubt be advantageously made, but I think these I have noted would make a great improvement, and that that improvement, producing unity of action, prompt responsibility, and constant oversight, cannot be attained in a country so vast, with so great a number of inferior officers reporting only as at present. In illustration of the points I have named I might give you many examples occurring in the last two years, but I will content myself with one in each branch of transportation:

A regiment of cavalry was ordered from Ohio to Fort Leavenworth in the winter of 1861-'62. A contract was made by an assistant quartermaster in Ohio. Being responsible to no officer in Saint Louis, or having no one there to consult, the contract was made for the entire distance from one department through another. Accidentally learning of such a movement, and in order to facilitate it, an officer here received bids, but found when the troops came that a through contract was already made at prices largely above those he had agreed upon and without reference to the fact that the Hannibal and Saint Joseph Railroad was a land-grant road and subject to a large reduction of rates. By this single movement several thousand dollars were lost unnecessarily.

Again, some two weeks since, happening at Cincinnati, I was shown a confidential dispatch from General Burnside to the president of a railroad company requesting immediate transportation to Cairo by rail for the Ninth Army Corps. Supposing them to be en route to Major-General Grant, near Vicksburg, and that time was important, I requested the assistant adjutant-general to advise General Burnside of my presence and to inquire if he had made any arrangements for transportation at Cairo, or if I could in any way render him assistance. I soon received a reply directly from the general stating he had telegraphed the day before to Louisville, but had received no answer, and requesting my assistance in procuring transports promptly. I at once telegraphed to Saint Louis, came on myself the same night, and the next evening boats began to leave for Cairo and were there, so that as the troops arrived by rail they went on board without an hours' detention and at once passed down the river. The following day I received a dispatch from Louisville (400 miles from Cairo) stating that twelve boats were about leaving to move this army, all but four of which were, however, soon after recalled, and none of which reached Cairo till after the entire army had departed south, and one of them with a battery on board was at the latest advices still aground and not able to get out at all. It is over 400 miles from Louisville to Cairo and 200 miles from Saint Louis. We have nearly always water for very large boats to go to Cairo, and when the order was given the Ohio was low while the Mississippi was at a fair stage. We loaded most of these boats

with army supplies, saving thereby a large sum to the Government. Again, we can use a much larger class of boats from this point in seasons of low water, which tends greatly to economy, and what is still more important in such an emergency, we can move with much greater certainty, and did in this case dispatch from Cairo over 9,000 men without an hour's delay beyond mere marching on board, and without the expense of any delay to the boats. Other similar illustrations of the necessity of unity and of some central authority, so far as movements on our great Western rivers are concerned, could be given, but it does not seem necessary.

In conclusion I would add that there are a multitude of claims arising for boats lost or damaged in Government service, where it is often very important that an immediate investigation of facts should take place in order to settle the question of liability, and if liable, the extent. I think much might have been saved in the last year in this respect by the prompt attention of some officer near where the claim originated.

Requesting your particular attention to a letter personal to myself herewith transmitted.*

I am, very respectfully, your obedient servant,

LEWIS B. PARSONS,
Colonel and Assistant Quartermaster.

CLEVELAND, OHIO, *June 23, 1863.*

Brig. Gen. J. D. COX,
Commanding District of Ohio, Cincinnati, Ohio:

GENERAL: I reached this city at 4 p. m. and at once visited the camp. I found about 100 men had reported. A thorough system of recruiting is being organized in the county. I am impressed with the fact that the people do not realize the obvious policy of the enemy, and it is a great drawback that the draft is not suspended in Ohio toward such as shall enlist. We shall have offensive operations along the border as a part of the system of the enemy, to harass the agricultural interests, sunder railroad connections, develop disgust with the war, and distract our attention from more substantial lines of attack.

I assure you that there will be depredations upon the Indiana and Illinois border from men who never had connection with the rebel army. I know that such a system has been deliberately proposed and formally adopted in some counties in Indiana, to be inaugurated the latter part of June. I am no alarmist, as you know, but I have been surprised that the movements did not commence earlier. As I am not needed here particularly for three or four days, and Colonel Senter thinks I can now be better spared, I propose to take to-night's train for Indianapolis to close up there.

With sincere regard, I am, very truly, yours,

HENRY B. CARRINGTON,
Brigadier-General of Volunteers.

CINCINNATI, *June 23, 1863.*

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

I am satisfied that it will be next to impossible to raise the 30,000 six-months' troops in Ohio by volunteering. At what time do you

* Next, *ante.*

propose to commence the draft? I think I could raise 12,000 men in this city and Hamilton County as a reserve corps, to be used for border defense, if they could be relieved from the chance of the draft. This number would be three or four times the amount of their proportion of the draft.

Do you think an arrangement could be made for the formation of such a corps?

A. E. BURNSIDE,
Major-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., June 23, 1863.

General BURNSIDE,
Commanding Department of Ohio, Cincinnati, Ohio:

Draft will be made as soon after enrollment as possible—certainly next month. It would not do to exempt men joining such a reserve corps as you mention from the draft. All men volunteering for six months will, if drafted, get credit for the time they may have served, but cannot be exempt. This has been announced to Pennsylvania. Reserve corps for local defense and home guards should, I think, be independent of and in addition to organizations for field service. If they are to be in lieu of these last we had better not take them.

JAMES B. FRY,
Provost-Marshal-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., June 23, 1863.

Maj. Gen. J. M. SCHOFIELD,
Comdg. Department of the Missouri, Saint Louis, Mo.:

GENERAL: The Secretary of War has authorized that prisoners of war who have been impressed into the rebel army who desire to enter our service in good faith may be permitted to do so on their taking the oath of allegiance. It is required that a careful inquiry will be made to ascertain the reliability of the statements of the applicants, that no imposition may be practiced.

Very respectfully, your obedient servant,

W. HOFFMAN,
Col. Third Infantry and Commissary-General of Prisoners.

CIRCULAR No. 33. WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, June 24, 1863.

REGULATIONS IN REGARD TO SUBSTITUTES.

1. Any person enrolled and drafted may at any time on or before the time at which he is ordered to report at a rendezvous obtain, and present to the Board of Enrollment of the district in which he resides, a substitute.

2. The substitute must be in every respect suitable for the military service, which shall be determined by the Enrolling Board in the manner prescribed for examining recruits.

3. Every substitute, after being examined and approved by the Enrolling Board, shall enlist in the service of the United States. (Form 40.)

4. And when he shall have so enlisted and reported to the provost-marshal for duty the Board shall give the person who has furnished the substitute a certificate of exemption (according to Form 31, in Regulations for the Government of the Bureau of the Provost-Marshal-General) setting forth that the person is "not properly subject to do military duty during the time for which he was drafted * * * by reason of 'having furnished an acceptable substitute.'"

5. Every substitute who shall have enlisted and reported to the provost-marshal shall be held subject to all pains and penalties for desertion or other offenses in the same manner as other soldiers, and the person who has furnished the substitute shall not be responsible for the acts of the substitute committed after he shall have enlisted and reported to the provost-marshal for duty, as required in the preceding paragraph.

6. The Board of Enrollment will give public notice after a draft has been made that they will, between such hours on every day, up to the time when the drafted men are ordered to report at a rendezvous, hear propositions for substitutes and examine persons so offering.

7. All persons who may be drafted and who desire to present substitutes shall give notice in writing to the Board of Enrollment that on such a day they will present a substitute, giving his name, residence, age, and stating whether he is an alien or citizen.

8. The Board of Enrollment shall make the enlistment papers of substitutes in triplicate, of which one shall be forwarded to the Provost-Marshal-General, one to the Adjutant-General of the Army, and the other retained among the records of the Enrolling Board.

9. Substitutes, after being enlisted, are to be considered as in all respects on the same footing with other soldiers, receiving the same bounties, pay, and allowances, and amenable to the same regulations and discipline.

10. After all the substitutes have been accepted and enlisted in a district the Board of Enrollment will render a statement (according to Form A) to the Provost-Marshal-General.

JAMES B. FRY,
Provost-Marshal-General.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Hartford, Conn., June 24, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: It has come to my knowledge that a considerable number of persons liable to draft in the several districts of this State have left their residences or places of labor and gone to unknown parts with the intention of avoiding the draft.

In the town of Simsbury, First Congressional District, a farming locality, many laborers have left—in some instances the farmers having lost all their help, and in others a half or more.

In some of the manufacturing towns also many persons have decamped. A few days since a loyal manufacturing firm in New Britain, First District, employing about eighty men, were so well satisfied that their employés, or a large portion of them, were intending to leave the district on being paid off, that they declined paying them at that time, hoping by delay to be able to hold them until they had discharged their duty to the Government.

Facts like the above may be stated with regard to the other districts of the State; more particularly of the Second.

I respectfully communicate these facts for your information, although I am aware they have no bearing on the actual draft of those persons who have thus absented themselves from their usual places of residence or employment. If drafted, every effort will be made to hunt them up, and it is probable that few will altogether escape.

I am, colonel, very respectfully, your most obedient servant,

D. D. PERKINS,
Acting Assistant Provost-Marshal-General.

WAR DEPARTMENT,
Washington City, June 24, 1863.

His Excellency RICHARD YATES,
Governor of Illinois, Springfield:

The Department does not deem it expedient to authorize the raising of volunteer infantry and cavalry regiments in your State for a less period than three years or during the war. Instructions in regard to volunteers will be issued to you in a few days prescribing the bounty and mode of organization that will be authorized.*

EDWIN M. STANTON,
Secretary of War.

STATE OF INDIANA,
OFFICE OF PROVOST-MARSHAL FOURTH DISTRICT,
Greensburg, June 24, 1863.

Col. CONRAD BAKER,
Assistant Provost-Marshal-General, Indianapolis:

COLONEL: Under information received from yourself and from the enrolling officer of Washington Township, Rush County, Ind., resistance had been made to the enrollment of that township, and that further resistance was threatened and feared, I proceeded from Indianapolis on the evening of the 22d instant with a cavalry force of twenty-five men under command of Captain Powers, of the Third Indiana Cavalry, by the Indiana Central Railway to Knightstown, Ind. Here I also called out twenty-five men of the home guards under command of Capt. J. M. Hartley, and proceeded by rail to Louisville, ten miles, thence marched to Raleigh, in said township of Washington, arriving there at 1 a. m.

Having reason to believe that deserters were harbored in Raleigh, we placed guards about the town and made search, but without success in finding any.

I then directed the cavalry to accompany the enrolling officer and protect him in the discharge of his duties in enrolling the township and to arrest any person offering resistance to the law. No resistance was offered and the enrollment was completed.

I then returned, taking railroad at Louisville, discharging Captain Hartley's command at Knightstown, and that of Captain Powers at Indianapolis.

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* This in reply to Yates, Series I, Vol. XXVII, Part III, p. 296.

I take pleasure in adding that the officers and men of both commands acted with propriety and promptly in the discharge of their duties.

Very respectfully, your obedient servant,

JNO. C. McQUISTON,
Captain and Provost-Marshal.

[JUNE 24, 1863.—For Morgan (E. D.) to Stanton relating to the raising of troops in New York, &c., see Series I, Vol. XXVII, Part III, p. 298.]

[JUNE 24, 1863.—For Stanton to Boreman relating to affairs in West Virginia, see Series I, Vol. XXVII, Part III, p. 303.]

GENERAL ORDERS, No. 190. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, June 25, 1863.*

FOR RECRUITING THE REGULAR ARMY.

Ordered, That all men enlisting in the Regular Army for five-years' service within ninety days from this date shall receive premium, advance pay, and bounty, of $402, as follows, viz:

Premium paid on enlistment	$2
Advance pay, first payment after first muster	13
Advance bounty, paid at depot after being accepted	25
Total	40
Bounty to be paid at the second regular pay-day after enlistment	$50
Bounty to be paid at first pay-day—	
After eight months' service	50
After twelve months' service	50
After two years' service	50
After three years' service	50
After four years' service	50
Bounty to be paid at expiration of service	75

And it is further ordered, That the bounty of $400 aforesaid shall be allowed, and paid in the manner hereinbefore provided, to all those men now in the Regular Army whose terms expire within one year from this date, and who shall re-enlist at any time within two months before the expiration of their present term of service.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 191. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, June 25, 1863.*

FOR RECRUITING VETERAN VOLUNTEERS.

In order to increase the armies now in the field, volunteer infantry, cavalry, and artillery may be enlisted, at any time within ninety days

from this date, in the respective States, under the regulations hereinafter mentioned. The volunteers so enlisted, and such of the three-years' troops now in the field as may re-enlist in accordance with the provisions of this order, will constitute a force to be designated "veteran volunteers." The regulations for enlisting this force are as follows:

I. The period of service for the enlistments and re-enlistments above mentioned shall be for three years or during the war.

II. All able-bodied men between the ages of eighteen and forty-five years, who have heretofore been enlisted, and have served for not less than nine months, and can pass the examination required by the Mustering Regulations of the United States, may be enlisted under this order as veteran volunteers, in accordance with the provisions hereinafter set forth.

III. Every volunteer enlisted and mustered into service as a veteran under this order shall be entitled to receive from the United States one month's pay in advance, and a bounty and premium of $402, to be paid as follows:

1. Upon being mustered into service he shall be paid one month's pay in advance	$18
First installment of bounty	25
Premium	2
Total payment on muster	40
2. At the first regular pay-day, or two months after muster-in, an additional installment of bounty will be paid	$50
3. At the first regular pay-day after six months' service he shall be paid an additional installment of bounty	50
4. At the first regular pay-day after the end of the first year's service an additional installment of bounty will be paid	50
5. At the first regular pay-day after eighteen months' service an additional installment of bounty will be paid	50
6. At the first regular pay-day after two years' service an additional installment of bounty will be paid	50
7. At the first regular pay-day after two years and a half years' service an additional installment of bounty will be paid	50
8. At the expiration of three years' service the remainder of the bounty will be paid	75

IV. If the Government shall not require these troops for the full period of three years, and they shall be mustered honorably out of service before the expiration of their term of enlistment, they shall receive, upon being mustered out, the whole amount of bounty remaining unpaid, the same as if the full term had been served. The legal heirs of volunteers who die in the service shall be entitled to receive the whole bounty remaining unpaid at the time of the soldier's death.

V. Veteran volunteers enlisted under this order will be permitted, at their option, to enter old regiments now in the field; but their service will continue for the full term of their own enlistment, notwithstanding the expiration of the term for which the regiment was originally enlisted. New organizations will be officered only by persons who have been in service and have shown themselves properly qualified for command. As a badge of honorable distinction, "service chevrons" will be furnished by the War Department, to be worn by the veteran volunteers.

VI. Officers of regiments whose terms have expired will be authorized, on proper application, and approval of their respective Governors, to raise companies and regiments within the period of sixty days; and if the company or regiment authorized to be raised shall be filled up and mustered into service within the said period of sixty

days, the officers may be recommissioned of the date of their original commissions, and for the time engaged in recruiting they will be entitled to receive the pay belonging to their rank.

VII. Volunteers or militia now in service, whose term of service will expire within ninety days, and who shall then have been in service at least nine months, shall be entitled to the aforesaid bounty and premium of $402, provided they re-enlist, before the expiration of their present term, for three years or the war; and said bounty and premium shall be paid in the manner herein provided for other troops re-entering the service. The new term will commence from date of re-enlistment.

VIII. After the expiration of ninety days from this date volunteers serving in three-years' organizations, who may re-enlist for three years or the war, shall be entitled to the aforesaid bounty and premium of $402, to be paid in the manner herein provided for other troops re-entering the service. The new term will commence from date of re-enlistment.

IX. Officers in service, whose regiments or companies may re-enlist, in accordance with the provisions of this order, before the expiration of their present term, shall have their commissions continued, so as to preserve their date of rank as fixed by their original muster into United States service.

X. As soon after the expiration of their original term of enlistment as the exigencies of the service will permit, a furlough of thirty days will be granted to men who may re-enlist in accordance with the provisions of this order.

XI. Volunteers enlisted under this order will be credited as three-years' men in the quotas of their respective States. Instructions for the appointment of recruiting officers and for enlisting veteran volunteers will be immediately issued to the Governors of States.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CAMP NELSON, KY., *June 25, 1863.*

Col. J. B. FRY:

General Finnell has just informed me that you have ordered the enrollment of free negroes for military service in Kentucky. There are only 4,130 free male negroes in the State. One-eighth of them is a fair estimate of those between the ages of eighteen and forty-five, giving less than 700. If you gain these, you will lose more than 10,000. You will revolutionize the State and do infinite and inconceivable harm, and I am sure this is all wrong and there is not an honest, loyal man in the State in favor of it, and it will meet with decided opposition. For the peace and quiet of the country I beg you will change your order on the subject. I request that you confer with President Lincoln on the subject and show him this telegram.

J. T. BOYLE,
Brigadier-General.

PROCLAMATION BY THE GOVERNOR.

STATE OF NEW JERSEY, EXECUTIVE DEPARTMENT,
Trenton, June 25, 1863.

Whereas, by the system of computation adopted by the War Department it is ascertained that the State of New Jersey has not

filled her quota of troops for the service of the United States, although she has responded to all the calls made upon her for troops by the Government; and

Whereas, I have applied for authority to raise volunteers to serve for three years, unless sooner discharged, and authority has been given by the War Department to raise recruits for regiments now in the field, and also to raise new regiments with the restriction that no more than five regiments of infantry and two regiments of cavalry should be under recruitment in the State at one time;

I therefore call upon the citizens of this State to use every exertion to recruit, as speedily as possible, new regiments to serve our country in her hour of need, and also to fill the decimated ranks of those regiments that have sustained the honor of the State on many battle-fields.

The number of men required to fill up the old regiments will be published and apportioned to the different townships and wards of the State, in proportion to the number of men liable to do military duty.

Every man mustered into an old or a new regiment will be duly credited to the State.

Recruiting for five regiments of infantry and one regiment of cavalry will be put in charge of competent officers, to be designated in general orders.

Given under my hand and privy seal at Trenton this 25th day of June, A. D. 1863.

JOEL PARKER.

S. M. DICKINSON,
Private Secretary.

GENERAL ORDERS, No. 9.

OFFICE OF THE SIGNAL OFFICER,
Washington, D. C., June 26, 1863.

I. It having come to the knowledge of the Signal Officer of the Army that in some instances officers of the Signal Corps have transmitted information by signals of such a character as to produce alarm, uproar, and confusion among troops, and the inhabitants of towns or cities with which they may be in communication, which reports have often been without foundation, the officer thereby being guilty of conduct prejudicial to good order and military discipline, it is hereby ordered and enjoined that all signal officers shall be held fully responsible and amenable to the military regulations of the Army for such stampede reports forwarded without foundation or forethought.

II. Under all circumstances must officers of this corps be fully cognizant of the responsibility resting upon them as proper and reliable sources of information or means of communication, such information being in most cases for the use of the commanding general or other officers commanding troops, and being the foundation of important movements or operations of the Army or Navy.

III. Reports must be made fully, concise, and clear, detailing all important discoveries, such as movements of the enemy, direction taken, probable numbers, whether artillery, cavalry, or infantry, and their position taken by compass from the station of observation. They must be made quietly, and written or delivered without the slightest exaggeration or excitement.

IV. Should the enemy be discovered advancing toward an officer or station, the signal party must not fall back until it is absolutely

necessary to prevent capture, previously reporting to headquarters the advance of the enemy, and then a retreat must be effected quietly, and as much under cover as possible, taking care to create no needless alarm.

V. Every precaution must be taken that no signal apparatus, glasses, or papers of any description fall into the hands of the enemy. If necessary to prevent capture, everything must be destroyed.

VI. Chief signal officers of departments or army corps are required to see that the provisions of this order are fully carried out, and that it is promulgated to every officer of the detachment. Nothing gives to commanding generals greater confidence in their informants than to see that they at least are not in the slightest degree excited, stampeded, or alarmed.

VII. It is designed that the officers and men of this corps shall become known and noticed throughout the Army for their bravery, coolness, and reliability under the most trying circumstances. Every officer not only bears upon himself the responsibility of sustaining his individual honor and reputation, but the honor of a corps performing its duties in the dangerous undertaking of establishing stations of observation and communication almost within the lines of the enemy and amid all the perils of the battle-field.

By order of the Signal Officer of the Army:

HENRY S. TAFFT,
Captain and Signal Officer.

CINCINNATI, *June 26, 1863.*

President LINCOLN,
Washington, D. C.:

I am satisfied from my knowledge of Kentucky that it would be very unwise to enroll the free negroes of that State. It would not add materially to our strength, and I assure you it would cause much trouble. I sincerely hope this embarrassment to the interest of the public service will not be placed in our way.

Please answer at once.

Respectfully,

A. E. BURNSIDE,
Major-General.

CINCINNATI, *June 26, 1863—2 p. m.*

His Excellency ABRAHAM LINCOLN,
President of the United States:

I beg leave to call your attention to my dispatch of yesterday from Camp Nelson to Colonel Fry, Provost-Marshal-General, in regard to enrollment of free negroes in Kentucky. Further reflection strengthens the opinion expressed in that dispatch.

J. T. BOYLE,
Brigadier-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., June 26, 1863.

Brig. Gen. J. T. BOYLE,
Louisville, Ky.:

GENERAL: The enrollment is simply taking the census of persons between the ages of twenty and forty-five. I don't see why infinite

and inconceivable harm, as you state, should be done by my ascertaining and informing the Government how many free negroes there are between those ages in the different States, and their names, and I have a better opinion of Kentucky than to think she would be revolutionized if such information is sought for by me as it has been by the Census Bureau without revolution. I shall endeavor to get this information in Kentucky, as in other States, unless the Government orders otherwise, and to use your language, I do not see how any honest, loyal man in the State can oppose it. I will show your dispatch to the Government to-day.

JAMES B. FRY,
Provost-Marshal-General.

[JUNE 26, 1863.—For proclamation of Governor Curtin, of Pennsylvania, calling for 60,000 men for the defense of the State, see Series I, Vol. XXVII, Part III, p. 347.]

[JUNE 26, 1863.—For correspondence relating to raising troops in Pennsylvania, see Couch to Stanton; Stanton to Couch; Scott to Stanton; Stanton to Couch; Couch to Stanton, Series I, Vol. XXVII, Part III, pp. 342–344.]

COLUMBUS, OHIO, *June 26, 1863.*

Hon. E. M. STANTON:

My colored regiment is progressing handsomely. They are expecting the usual pay and bounty allowed white soldiers. Will they get it?

DAVID TOD,
Governor.

EXECUTIVE MANSION,
Washington, June 28 [27], 1863.

Major-General BURNSIDE,
Cincinnati, Ohio:

There is nothing going on in Kentucky on the subject of which you telegraph except an enrollment. Before anything is done beyond this I will take care to understand the case better than I now do.

A. LINCOLN.

CINCINNATI, *June 27, 1863.*

His Excellency ABRAHAM LINCOLN,
President of the United States:

Your dispatch of this date is received. The enrollment of the free negroes properly belonging to the State will not yield 1,000 men subject to draft. If draft is required in Kentucky the number required from this class will not be over 300; for this small number we will lose a much larger number of good white volunteers and give the secret enemies of the Government a weapon to use against it. If there was any principle of right involved in it I would say carry it out, but the people are ready and willing to stand the draft, if necessary, from the white population. There will not be half the trouble in the State of Kentucky there will be in Indiana, Ohio, and Illinois,

The enrollment of these negroes is what the loyal people fear will do the harm. We not only need all these for labor, which we draft at our pleasure, but we draft slaves for labor continually, and if any of the free negroes wish to join the colored regiments now forming in this department they are at liberty to do so. I was just about issuing an order drafting all the free able-bodied negroes in the State for labor on a military road. I sincerely hope the enrollment may be stopped. Kentucky is in good order now.

A. E. BURNSIDE,
Major-General.

EXECUTIVE MANSION,
Washington, D. C., June 28 [27], 1863.

General J. T. BOYLE,
Cincinnati, Ohio:

There is nothing going on in Kentucky on the subject of which you telegraph, except an enrollment. Before anything is done beyond this I will take care to understand the case better than I now do.

A. LINCOLN.

WAR DEPARTMENT,
Washington, D. C., June 27, 1863.

Governor TOD,
Columbus:

A careful examination of the acts of Congress by the Solicitor of the War Department has led him to the conclusion that the Government can pay to colored troops only $10 per month and no bounty. A month's advance pay will be authorized. For any additional pay or bounty colored troops must trust to State contributions and the justice of Congress at the next session. Upon this basis the organizations have been made elsewhere.

EDWIN M. STANTON,
Secretary of War.

CINCINNATI, *June 27, 1863.*

Governor TOD,
Columbus, Ohio:

It is of the utmost importance that the people of Ohio should respond with the greatest alacrity to the call of the President for troops from this State.

The enemy is now threatening our northern cities with a large force. The vital necessity of promptly meeting or driving him back must be felt by every man.

The sudden call of last year which resulted in such an immense loss of time, labor, and money, the stoppage of all business transactions, and the risk of serious disaster should be remembered. The recurrence of that excitement can be avoided now by the prompt efforts of the people in aid of the President's call and the immediate organization of a well-disciplined force. I feel confident that the people of Ohio have only to know the necessity for this call to insure an instant and hearty response. I pledge my full and earnest cooperation in every effort to meet and repel the threatened danger.

A. E. BURNSIDE,
Major-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., June 27, 1863.

Capt. C. TOWER,
Provost-Marshal, Pottsville, Pa.:

Your action in case of Gane is correct. I will write to-morrow or next day. The court cannot be permitted to override the laws of the United States. You beg me to show, and beg that you may show, the power of the United States, and make vigorous demonstrations, and that you will then enforce the enrollment. Vigorous measures are what I urge upon you, and for this purpose have sent you a military force that seems adequate to all the wants that have yet shown themselves. I want you to use it vigorously, but use it to put down opposition and not create it, and to be sure that all against whom you adopt vigorous measures are clearly in the wrong. The more vigor you show in prosecuting the enrollment the better it will be.

JAMES B. FRY,
Provost-Marshal-General.

[JUNE 27, 1863.—For correspondence relating to raising troops in Pennsylvania, see Curtin to Lincoln; Cameron to Lincoln; Stanton to Couch; Stanton to Brooks; Stanton to Crosman; Stanton to Curtin; Stanton to Cameron, Series I, Vol. XXVII, Part III, pp. 363–365.]

[JUNE 27, 1863.—For Stanton to Coburn, authorizing the organization of a company of volunteers to guard prisoners of war at Fort Preble, Me., see Series I, Vol. XXVII, Part III, p. 368.]

PROVIDENCE, *June 27, 1863.*

His Excellency ABRAHAM LINCOLN,
President of the United States:

Great anxiety is felt here on account of the unprotected condition of Narragansett Bay. There is nothing to prevent a rebel incursion through the west passage, exposing to destruction this city, Fall River, and other towns on the bay.

I respectfully request immediate authority to construct, arm, and man suitable earth-works at expense of the Federal Government, and that the plans understood to be in the War Department for such works be furnished without delay; also authority to cause all vessels to be brought to and inspected before entering the bay.

JAS. Y. SMITH,
Governor of Rhode Island.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., June 28, 1863.

Col. CONRAD BAKER,
Act. Asst. Prov. Mar. Gen. of Indiana, Indianapolis, Ind.:

COLONEL: Your management of the affairs in this Bureau in Indiana has been marked by such vigilance and good judgment that I hardly deem it necessary to make a suggestion to you. I infer, however,

from newspaper reports, which I know are very unreliable, and from what you have from time to time reported, that there still exists in Indiana a determined spirit against the enrollment act.

This morning's papers state that in Monroe County there is an organized band (perhaps several hundred strong, said to be 1,500) in arms against the officers of the Government, and that the U. S. officer there commanding four companies has called for re-enforcements. I am aware that these reports may be so much exaggerated as to be in reality false and that the officers there may be imposed upon, but I wish to say to you now that if in enforcing any part of the enrollment act you are compelled to contend with armed parties in open resistance to the law, you must act with such vigor and determination as to strike terror into all others who may contemplate resistance.

The most effectual as well as the most merciful course, so far as the many are concerned, is to punish unrelentingly, even cruelly, the few first against whom it may be necessary to use arms.

From your action heretofore I know you appreciate the importance of placing turbulent men clearly in the wrong before acting against them. I have no doubt the military commander of the district and His Excellency the Governor will continue to aid in carrying out such measures as you may find necessary.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington City, D. C., June 28, 1863.

His Excellency Governor PARKER,
Trenton:

General Couch is authorized to receive any troops that may be offered to serve under his command, whether sworn into the U. S. service or not. Please send any militia or other force at your disposal.*

EDWIN M. STANTON,
Secretary of War.

[JUNE 28, 1863.—For correspondence relating to raising troops in Pennsylvania, see Couch to Curtin; Curtin to Couch, Series I, Vol. XXVII, Part III, pp. 391, 392.]

[JUNE 28, 1863.—For correspondence relating to raising troops in West Virginia, see Stanton to Boreman, Series I, Vol. XXVII, Part III, p. 394.]

GENERAL ORDERS, No. 196. WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, June 29, 1863.

The number of brigadier-generals being limited by law, the urgent necessity for officers of that grade in the field requires that all, except those wounded in battle, whose health is so infirm as to have kept them

* This in reply to Parker, Series I, Vol. XXVII, Part III, p. 390.

from active duty more than thirty days, should be mustered out and their places filled by others physically capable of service. It is therefore ordered:

1. That all officers of the rank of brigadier-general who have been absent more than thirty days from duty on account of sickness, other than those wounded in battle, report the present state of their health; and that those who report themselves unfit for duty in the field be honorably mustered out of service within ten days from this date.

2. That those who do not report unfit for duty proceed, within forty-eight hours after the receipt of this order, to join their commands, informing the Adjutant-General by letter of the fact.

3. That those who have been absent more than thirty days, by reason of wounds received in battle, report when they expect to be able to resume duty, sending a surgeon's certificate setting forth the nature of their wounds and their present condition.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

INDIANAPOLIS, IND., *June 29, 1863.*

Hon. E. M. STANTON:

With the understanding that men who enlist for six months are not subject to draft during that time, but liable only to such draft as may be made after the expiration of the six months, they can be raised at once. This was the plan proposed at Washington, as I understood, with the President, understanding that those who volunteer for six months are still liable to be drafted during that time, although the time for which they enlist is to be credited upon their time if drafted. It will be slow work to raise the regiments called for. Would it not be better to change it? Please answer at once.

O. P. MORTON.

INDIANAPOLIS, IND., *June 29, 1863.*

Hon. E. M. STANTON:

I hope you will send to me at once 25,000 arms and at least twelve pieces of field artillery and equipments. I can arm and organize the State forces rapidly, and it must be done. Please answer my former dispatch concerning the six-months' men.

O. P. MORTON.

COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE DEPT.,
Boston, June 29, 1863.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.:

SIR: The information which reaches me from the Department of the South induces me earnestly to urge that a brigadier-general may be detailed by you to take command of the colored regiments now there, and I respectfully recommend, as well adapted to such service, Brig. Gen. Francis C. Barlow, at present holding a command in the Army of the Potomac. A personal knowledge of General Barlow enables me to speak confidently of his adaptness to this particular service.

I do not feel easy in mind about those regiments, left as they are now jointly to the command of the senior colonels. Higginson, the senior colonel of the brigade, although a brave and chivalrous gentleman of high culture, has never seen much service, and never any in the field until he went to South Carolina. Montgomery, the next in rank, undoubtedly a valuable man and very useful as a good bushwhacker, is hardly a competent brigadier.

For the sake of the reputation of the Fifty-fourth Massachusetts, Colonel Shaw, which is in all respects one of the very best regiments this State has put in the field, I beg for a brigade commander over it who shall not by his own deficiency peril the reputation of the troops who are under his orders.

I am, faithfully and obediently, yours,

JOHN A. ANDREW.

Although General Barlow is now in command of a white brigade, yet I know that he would cheerfully obey an order placing him over black troops; and next to Brigadier-General Wild I know no brigadier better fitted to take charge of them.

J. A. A.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, June 29, 1863.

GOVERNOR OF NEW YORK,
Albany, N. Y.:

SIR: Under General Orders, No. 191, current series, from the War Department, you are hereby authorized to raise twelve regiments veteran volunteer infantry, two regiments veteran volunteer cavalry, and six batteries veteran volunteer artillery.

In addition to the requirements of the general order cited the following instructions will govern:

First. Under paragraph III of the orders all men before they can re-enter the service must produce an honorable discharge from the service of the usual form.

Second. Under paragraph IV of the orders the advance pay, first installments of bounty, and premium will be paid as directed in General Orders, No. 163, current series, from the Adjutant-General's Office. The additional installments of bounty will be paid under the regulations of the Pay Department by paymasters when they make the periodical payments of the troops. The final installments, as remainder of the bounty, will be paid on the muster-out rolls at the expiration of the term.

Third. All volunteers who enlist for regiments in the field will be provided for and forwarded to their commands by the superintendent of the volunteer recruiting service for the State in the same manner as recruits sent heretofore.

Fourth. For such new organizations as you may raise the requirements of General Orders, No. 75, of 1862, will govern. If you conclude to reorganize regiments or companies, the officers of the regiments or companies will act as recruiting officers. Should they reorganize their commands within the period of sixty days they will be paid according to their ranks on the muster and pay-rolls of their regiments and companies; should they fail, the requirements of section 2, paragraph I, General Orders, No. 75, of 1862, will be applied to them. In other respects the requirements of General Orders, No. 75, will govern the recruitment.

Fifth. In selecting officers the selections will necessarily have to be made from two classes, viz: First, those honorably discharged "by expiration of service" of the organization with which they served; second, those honorably discharged by resignation or otherwise prior to "expiration of service" of their organization. The selections from the first class can be made by you without reference to this Department, in accordance with your usual rules. In selecting from the second the approval of the War Department will be necessary. To this end you will please submit to the Adjutant-General of the Army, for the action of the War Department, the names of such officers as you may select from this class. In doing this you will first assure yourself that they were honorably discharged, and if the discharge was on account of physical disability a certificate from the surgeon-general of your State, to the effect that the applicant has fully recovered and is able to undergo the fatigues of a campaign, must accompany the application to reappointment. The report received, you will be authorized to recommission, provided the records of the War Department show that the military history of the officer will justify it.

Sixth. Re-enlistments under paragraphs VIII and IX will be conducted under the immediate orders of the War Department, through the Adjutant-General of the Army. These orders will be communicated to the generals commanding armies and departments, and the re-enlistments and consequent remusters will be under the supervision of the commissaries and assistant commissaries of musters for the army or department.

I have the honor, &c.,

JAS. B. FRY,
Provost-Marshal-General.

(Similar letter, June 29, to Governor of Pennsylvania, for five regiments infantry, one regiment cavalry, one battery artillery; to Governor of Maine, for three regiments infantry, one battery artillery; to Governor of Massachusetts, for four regiments infantry, three batteries artillery. June 30, to Governor of New Jersey, three regiments infantry, two batteries artillery; to Governor of Connecticut, two regiments infantry, one battery artillery. July 2, to Governor of Vermont, two regiments infantry, one battery artillery. July 1, to Governor of New Hampshire, one regiment infantry; to Governor of Rhode Island, one regiment infantry. August 10, to Governor of Wisconsin, one regiment infantry.)

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Elmira, N. Y., June 29, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: It has been suggested to me by the provost-marshal of the district bordering upon Canada, and the majority of those under my supervision are thus situated, that unless the communications between these districts and Canada are in some way guarded there will be a great accession to her Britannic Majesty's subjects about the time of the draft. I have no doubt those suggestions are worthy your consideration. Canada is now the asylum of more than half the men that have deserted from the volunteers from this State, and if our

citizens make this a means of escape from volunteer service, what may we expect from enforced service? I beg your consideration of this subject.

I have the honor to be, sir,

A. S. DIVEN,
Acting Assistant Provost-Marshal-General.

OFFICE ACTG. ASST. PROV. MAR. GEN. OF OHIO,
Columbus, Ohio, June 29, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I have to call attention to the fact that persons who have been enrolled and who are liable to draft are leaving the country. From Toledo, Sandusky, and Cleveland the district marshals report persons going to Canada. While in Cleveland the other day I was informed by reliable persons that over 400 men had gone from that city since the enrollment was begun.

An authorized person there is employing teamsters for the Army of the Cumberland. He has already sent off about 100 and expects to get 400 more. As these men are not enlisted and can leave the Army at any time, they may evade the draft unless some special regulation be made.

I am, colonel, your obedient servant,

ED. A. PARROTT,
Colonel and Actg. Asst. Prov. Mar. Gen. for Ohio.

WAR DEPARTMENT,
Washington City, June 29, 1863.

J. R. FRY,
Chairman Union League Committee, Philadelphia:

General Couch has no orders from this Department to stop three-months' enlistments. If he has issued such an order it has been through some Harrisburg influence. I will ascertain the facts and make such order as circumstances require.*

EDWIN M. STANTON,
Secretary of War.

[JUNE 29, 1863.—For correspondence relating to raising troops in Pennsylvania, see Couch to Stanton; Fry to Stanton; Meigs to Couch, Series I, Vol. XXVII, Part III, pp. 408, 411.]

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., June 29, 1863.

Governor J. Y. SMITH,
Providence, R. I.:

You are authorized to raise the cavalry regiment mentioned in your letter of 27th instant, for three years or the war, instead of for six

* This in reply to Fry, Series I, Vol. XXVII, Part III, p. 408.

months. It is far preferable to do so. The enrollment in your State having been completed a draft will be ordered soon. You will be credited with every three-years' volunteer you may put into U. S. service up to the day the drafted men are enrolled, and if your quota should be made up entirely, the drafted men, if called out, will be discharged.

J. B. FRY,
Provost-Marshal-General.

GENERAL ORDERS, No. 200. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, June 30, 1863.*

The aides-de-camp and other staff officers attached to general officers not now exercising a command will, if company officers, forthwith proceed to join their regiments. If general staff officers or additional aides-de-camp they will immediately report by letter to the Adjutant-General for assignment to duty.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR No. 34. } WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, June 30, 1863.*

I. Section 13 of the act approved March 3, 1863, "for enrolling and calling out the national forces, and for other purposes," is as follows:

SEC. 13. *And be it further enacted*, That any person drafted and notified to appear as aforesaid may, on or before the day fixed for his appearance, furnish an acceptable substitute to take his place in the draft, or he may pay to such person as the Secretary of War may authorize to receive it, such sum, not exceeding three hundred dollars, as the Secretary may determine, for the procuration of such substitute, which sum shall be fixed at a uniform rate by a general order made at the time of ordering a draft for any State or Territory; and thereupon such person so furnishing the substitute, or paying the money, shall be discharged from further liability under that draft. And any person failing to report after due service of notice as herein prescribed, without furnishing a substitute, or paying the required sum therefor, shall be deemed a deserter, and shall be arrested by the provost-marshal and sent to the nearest military post for trial by court-martial, unless, upon proper showing that he is not liable to do military duty, the Board of Enrollment shall relieve him from the draft.

It is hereby announced that the amount to be paid, in accordance with the foregoing section of the enrollment act, by any person who may be drafted, in order to secure exemption from service, has been fixed by the Secretary of War at $300.

II. The commissioner of internal revenue in each Congressional district has been authorized by the Secretary of War and directed by the Secretary of the Treasury to receive from drafted persons, who desire to pay it for the purpose of exemption, the money above specified. On receipt of this sum the collector of internal revenue shall give the drafted person paying it duplicate receipts. One copy of these receipts shall be delivered to the Board of Enrollment on or before the day the drafted person is required to report for duty; and when so delivered to the Board, the drafted person shall be furnished by the Board with a certificate of exemption (Form 31, Regulations of Provost-Marshal-General's Bureau), stating that the person is discharged from further liability under that draft by reason of having paid the sum of $300.

III. The provost-marshal shall make out, within the first Monday of every week, an abstract of persons to whom exemptions from military service shall have been granted by the Board during the week previous. (Form 41.) All receipts or certificates of deposit delivered to the Board by persons claiming exemption on account of having paid the required sum of money shall accompany the abstract.

JAMES B. FRY,
Provost-Marshal-General.

Ordnance, arms, ammunition, and other ordnance stores procured and supplied to the Army since the beginning of the rebellion, and the quantity remaining on hand in the arsenals June 30, 1863.

No. 1.—CANNON AND MORTARS.

	Field guns.	Siege guns.	Sea-coast guns and mortars.	Total.
On hand at the beginning of the rebellion	231	544	1,508	2,283
Purchased since	2,734	546	418	3,698
Total stock	2,965	1,090	1,926	5,981
Issued from the arsenals during the same period	2,481	841	1,247	4,569
Remaining on hand at the arsenals June 30, 1863	484	249	679	1,412

No. 2.—CANNON BALLS, SHELLS, AND OTHER PROJECTILES.

	Field.	Siege.	Sea-coast.	Total.
On hand at the beginning of the rebellion	90,199	131,036	142,356	363,591
Purchased since up to June 30, 1863	1,912,894	242,155	407,695	2,562,744
Total stock	2,003,093	373,191	550,051	2,926,335
Issued from the arsenals during the same period	1,528,578	138,298	78,710	1,745,586
Remaining on hand at the arsenals June 30, 1863	474,515	234,893	471,341	1,180,749

No. 3.—ARTILLERY CARRIAGES.

	Field.	Siege.	Sea-coast.	Mortar beds.	Caissons.	Traveling forges.	Battery wagons.	Total.
On hand beginning of the rebellion	266	104	1,787	106	213	117	60	2,653
Purchased since up to June 30, 1863	1,948	154	45	97	2,063	348	226	4,881
Fabricated at the arsenals	637	484	509	234	223	58	64	2,209
Total stock	2,851	742	2,341	437	2,499	523	350	9,743
Issued from the arsenals during the same period	2,492	698	1,719	207	2,139	431	285	7,971
Remaining on hand June 30, 1863	359	44	622	230	360	92	65	1,772

Ordnance, arms, ammunition, and other ordnance stores, &c.—Continued.

No. 4.—SMALL-ARMS.

	Muskets and rifles.	Carbines.	Pistols.	Sabers and swords.	Total.
On hand at the beginning of the rebellion	437,433	4,076	27,192	16,933	485,634
Purchased since up to June 30, 1863	1,622,552	107,367	230,761	337,555	2,298,235
Manufactured at the National Armory	327,592	.....	.....	.....	327,592
Total stock	2,387,577	111,443	257,953	354,488	3,111,461
Issued from the arsenals during same period	1,557,576	96,118	229,052	271,817	2,150,563
Remaining on hand June 30, 1863	836,001	13,325	28,901	82,671	960,898

No. 5.—ACCOUTERMENTS, HORSE EQUIPMENTS, AND HARNESS.

	Accouterments.		Horse equipments.	Sets of harness for two horses.	Saddle blankets.
	Infantry.	Cavalry.			
On hand at the beginning of the rebellion	10,230	4,320	574	586	.....
Purchased since up to June 30, 1863	1,809,501	181,428	203,041	15,452	343,834
Fabricated at the arsenals	21,799	13,048	13,617	3,214	.....
Total stock	1,842,230	198,796	217,232	19,252	343,834
Issued from the arsenals during same period	1,680,220	196,298	211,670	17,485	292,708
Remaining on hand June 30, 1863	162,010	2,498	5,562	1,767	51,126

No. 6.—POWDER AND LEAD.

	Gunpowder.	Saltpeter.	Lead.	Lead bullets.
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*
On hand at the beginning of the rebellion	1,110,584	2,923,348	686,966	664,806
Purchased since up to June 30, 1863	13,424,363	5,230,731	58,211,345	13,565,428
Total stock	14,534,947	8,155,079	58,848,311	14,230,229
Issued and expended	13,071,073	.....	36,964,121	13,090,394
Remaining on hand June 30, 1863	1,463,874	8,155,079	21,884,190	1,139,835

No. 7.—AMMUNITION.

	Cartridges for small-arms.	Rounds of artillery ammunition.	Percussion-caps.	Friction-primers.
On hand at beginning of the rebellion	8,292,300	23,248	19,806,000	83,425
Purchased since up to June 30, 1863	74,662,083	116,032	689,668,400	1,500,574
Fabricated at the arsenals	447,542,733	2,622,714	79,806,600	5,504,136
Total stock	530,497,116	2,766,994	789,283,000	7,088,134
Issued and expended	378,584,104	2,274,490	715,036,470	6,082,506
Remaining on hand June 30, 1863	151,913,012	492,504	74,246,530	1,005,628

OFFICE AMERICAN FREEDMEN'S INQUIRY COMMISSION,
New York, June 30, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: The American Freedmen's Inquiry Commission have the honor to report (preliminarily) as follows:

SECTION I.—*Negroes as refugees.*

(District of Columbia, Eastern Virginia, and North Carolina.)

All the investigations and inquiries the Commission have made throughout the above sections of country, all the evidence they have there collected in connection with the character and condition of the negro population, who from all quarters find refuge within our lines, tend to this—that these refugees need not be, except for a very brief period, any burden whatever on the Government, but that, on the contrary, they may speedily become, under a system of supervision not difficult either to arrange or to conduct, provided the proper persons be employed, auxiliaries to the Government in its prosecution of the war, to the full as efficient as if the same number of loyal whites had emigrated into the Northern States.

The evidence before the Commission establishes beyond cavil the fact that these refugees are, with rare exceptions, loyal men, putting faith in the Government, looking to it for guidance and protection, willing to work for moderate wages if promptly paid, docile and easily managed, not given to quarreling among themselves, of temperate habits, cheerful and uncomplaining under hard labor whenever they are treated with justice and common humanity, and (in the Southern climate) able and willing, on the average, to work as long and as hard as white laborers, whether foreign or native born.

The circumstances which have thrown them, for a time, on the care of the Government for support are such as operate equally upon indigent whites arrested in their ordinary course of labor by the operations of the war, and it is a mistake to suppose that assistance has been needed or obtained exclusively by persons of color in consequence of such disturbance. In some places the number of poor whites succored has been greater than that of poor blacks. In November last Major-General Butler was feeding in New Orleans 32,000 whites, 17,000 of whom were British-born subjects, and only 10,000 negroes, these last chiefly women and children, the able-bodied negro men being usually employed on the abandoned plantations.(*a*)

Nor, where relief has been required by both whites and blacks, have the latter usually applied for or received, in proportion to numbers, nearly as much as the former. Mr. Vincent Colyer, appointed by General Burnside at New Berne, N. C., superintendent of the poor, white and black, reports that while 7,500 colored persons and 1,800 white persons received relief through his instrumentality, the average proportion dealt out in each of the staple articles of food—as flour, beef, bacon, bread, &c.—was about as one for each colored person relieved to sixteen for each white person to whom such relief was granted.(*b*) At the time this occurred work was offered to both blacks and whites; to the whites at the rate of $12 a month, and to the blacks at the rate of $8 a month.

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a General Butler's letter to the President, of date November 28, 1862, of which a copy was kindly furnished to the Commission.

b The exact figures are given in a report made by Mr. Colyer to the Commission.

Under any circumstances, and in all large societies, even during a normal and peaceful condition of things, there will be found a certain amount of vagrancy and a certain number of indigent poor, disabled, or improvident, to whom it is a custom and a duty to extend relief. Beyond this, except as an expedient for the time being, the Commission believe that the refugee freedmen need no charitable assistance. In the city of Washington, containing 16,000 free colored persons, these support their own poor without almshouse aid, and scarcely a beggar is found among them.(a)

The vices chiefly apparent in these refugees are such as appertain to their former social condition. Men who are allowed no property do not learn to respect the rights of property. Men who are subjected to despotic rule acquire the habit of shielding themselves from arbitrary punishment by subterfuges, or by a direct departure from the truth. In the case of women living under a system in which the conjugal relation is virtually set at naught, the natural result is that the instinct of chastity remains undeveloped or becomes obscured.

Thus, stealing is a common vice among these people when temptation occurs. Thus, they have the habit of lying when they deem a lie necessary to please a white superior or a defense against blame or punishment; under other circumstances they are as truthful as the average of uneducated white people. Thus, too, many colored women think it more disgraceful to be black than to be illegitimate, for it is especially in regard to white men that their ideas and habits as to this matter are perverted. A case came to the knowledge of the Commission, in which a mulatto girl deemed it beneath her to associate with her half-sister, a black and the daughter of her mother's husband, her own father being a white man. Such ideas and the habits thereby engendered render it highly important that freedmen's villages, particularly when they are chiefly inhabited by women and children, should be at a distance from any military encampment and should be strictly guarded. And as there are no sentinels so strict as the negroes themselves, the Commission believe, for this and other reasons, that colored guards will be found the most suitable and efficient for such service; and they recommend that in every case they be substituted for whites.

The testimony of the more intelligent among the superintendents is to the effect that the vices above referred to are not obstinately rooted, and that each one of them may be gradually eradicated by a proper appeal to the self-respect of the newly-made freedman, and by a strict recognition of his rights. He is found quite ready to copy whatever he believes are the rights and obligations of what he looks up to as the superior race, even if these prove a restraint upon the habits of license belonging to his former condition.

An officer on General Dix's staff, acting as provost-judge at Fortress Monroe, related to the Commission in graphic terms with what earnestness and conscious pride of his new position a negro sworn as witness for the first time in his life stood up to take the oath and deliver his testimony.

As to the false ideas touching chastity above referred to, the Commission believe that these can be in a great measure corrected by

a An intelligent lady, wife of a physician in Washington, who has interested herself about the colored population there, and seen much of them, deposed before the Commission: "I have known but two instances of beggary by colored people during my residence of ten years in this city. A few are supported by charity from their own churches."—Testimony of Mrs. Daniel Breed.

bringing practically to the notice of the refugees as soon as they come under the care of the superintendent the obligations of the married state in civilized life. Debarred as slaves from any legal union, often from any permanent connection, unable to contract a marriage that is not liable to be broken up at the will of the master, they usually regard it as a privilege appertaining to emancipation to be married "as white folks are." The Commission think that while compulsion in regard to this matter should be avoided, a judicious superintendent will, as a general rule, find no difficulty in inducing refugees when bringing with them those whom they acknowledge to be their wives and children, to consent to a ceremony which, while it legitimizes these relations, imposes upon the husband and father the legal obligation to support his family. This obligation and the duties connected with the family relation of civilized life should be carefully explained to these people, and while they remain under our care should be strictly maintained among them. The evidence before the Commission proves that with few exceptions they show themselves prompt to acknowledge and ready to fulfill such obligations.

If, however, cases should occur in which a refugee proves refractory and refuses to acknowledge as his wife, or to marry, the woman with whom he has been living and who is the mother of his children, he should no longer be allowed to cohabit with her or to live with the children; but if the proof of his previous relationship to them be sufficient, he should be compelled to contribute to their support from his wages in the same manner as if they were his family by legal marriage. All this is especially necessary in connection with a proper system of allotment from wages, of which hereafter.

Some further remarks on this subject, touching on the social and family relations in the slave society of South Carolina, will be found in another part of this report.

Sufficient evidence is before the Commission that colored refugees in general place a high value both on education for their children and religious instruction for themselves. In Alexandria and in various other places it came to the knowledge of the Commission that one of the first acts of the negroes when they found themselves free was to establish schools at their own expense; and in every instance where schools and churches have been provided for them they have shown lively gratitude and the greatest eagerness to avail themselves of such opportunities of improvement.

As a general rule, they are more zealously devotional than the white race; they have more resignation and more reliance on Divine Providence. They have also more superstitions. These, however, the Commission think, should not be hardly dealt with. It is of more importance sympathizingly to meet and encourage in these untaught people the religious sentiment which sways them than to endeavor in a spirit of proselytism to replace their simple faith in the Divine goodness and protection by dogmas of a more elaborate and polemical character. Practically, as regards the Christian graces of kindness and humility, we have as much to learn from them as they from us.

It is desirable that as soon as possible their schools and their churches be supported in whole or in part by themselves.

Medical aid they need in the outset and it should be provided for them; but here, too, the principle of self-support should be introduced as soon as circumstances permit. Vaccination ought to be strictly attended to.

SECTION II.—*Negroes as refugees.*

(South Carolina and Florida.)

What has been stated in the foregoing pages as to the refugees that have crossed our lines from Eastern Virginia and North Carolina, though true in the main also of South Carolina and Florida negroes, is to be received with some modification as regards the former slave population of these two last-named States, especially South Carolina.

This is one of the States in which the system of negro slavery seems to have reached its farthest development with the least modification from contact with external civilization. There it appears to have run out nearer to its logical consequences than in any other we have visited. There it has been darkening in its shades of inhumanity and moral degradation from year to year, exhibiting, more and more, increased cruelty, a more marked crushing out, in the case of the negro race, of the humanizing relations of civilized life, and a closer approach, in practice, to a monstrous maxim; the same which a Chief Justice of the Supreme Court, perverting history, alleges to have been the sentiment of the civilized world when the U. S. Constitution was adopted, and in the spirit of which he assumes (in virtue of such perversion) that Constitution to have been framed, namely, that "the negro has no rights which the white man is bound to respect"(*a*). The evidence before the Commission shows that half a century ago its phase was much milder than on the day when South Carolina seceded. It is the uniform testimony of all emancipated South Carolinian slaves above the age of sixty that their youth was spent under a state of things which, compared to that of the last thirty years, was merciful and considerate. As a general rule, these old men are more bright and intelligent than the younger field hands, in many of whom a stolid, sullen despondency attests the stupefying influence of slave-driving under its more recent phase.

The disintegration of the family relation is one of the most striking and most melancholy indications of this progress of barbarism. The slave was not permitted to own a family name; instances occurred in which he was flogged for presuming to use one. He did not eat with his children or with their mother; "there was no time for that." In portions of this State, at least, a family breakfast or dinner table was a thing so little known among these people that ever since their enfranchisement it has been very difficult to break them of the life-long habit that each should clutch the dish containing his portion and skulk off into a corner, there to devour it in solitude. The entire day, until after sunset, was spent in the field; the night in huts of a single room, where all ages and both sexes herded promiscuously. Young girls of fifteen, some of an earlier age, became mothers, not only without marriage, but often without any pretense of fidelity to which even a slave could give that name. The church, it is true, interposed her protest; but the master, save in exceptional cases, did not sustain it, tacitly sanctioning a state of morality under which ties of habitual affection could not assume a form dangerous or inconvenient to despotic rule.

The men, indeed, frequently asked from their masters the privilege of appropriating to themselves those of the other sex. Sometimes it

a Dred Scott *vs.* John F. A. Sandford, December Term, 1856, 23 Howard, 407.

was granted, sometimes—when the arrangement was deemed unprofitable—it was refused. Some cases there were in which a slaveholder, prompted by his own sense of morality or religion or urged thereto by a pious wife, suffered these connections of his slaves to have the sanction of religious ceremony. But it is evident that to connect even with such a quasi-marriage the idea of sacredness or religious duty was inconsistent with that legal policy of the slave States which forbade to render indissoluble among slaves a relation which tomorrow it might be for the interest of their owners to break up.

The maternal relation was often as little respected as the marital. On many plantations, where the system was most thoroughly carried out, pregnancy neither exempted from corporal punishment nor procured a diminution of the daily task; and it was a matter of occasional occurrence that the woman was overtaken by the pains of labor in the field, and the child born between the cotton rows. Humane masters, however, were wont to diminish the task as pregnancy advanced, and commonly gave three, occasionally four, weeks' exemption from labor after child birth. The mother was usually permitted to suckle her child during three months only; and the cases were rare in which relaxation from labor was allowed during that brief period. On the other hand, instances have occurred in which the more severe drove the negress into the field within forty-eight hours after she became a mother, there to toil until the day of the next birth.

A noble exception, among others, to such a system of inhumanity, gratefully testified to by the negroes who enjoyed it, was to be found on the plantation of ex-Governor Aiken, one of the largest and most influential planters in the State. His habitual clemency, it is said, gave umbrage to many of his neighbor planters as endangering their authority under a severer rule.

Under such a slave system as this, where humanity is the exception, the iron enters deep into the soul. Popular songs are the expression of the inner life; and the negro songs of South Carolina are, with scarcely an exception, plaintive, despondent, and religious. When there mingles a tone of mournful exultation, it has reference to the future glories of Zion, not to worldly hopes.

If to the above details touching slave life in this State we add the fact that because of the unhealthy climate of the sea islands off the South Carolina coast (chiefly due, it is said, to causes which may be removed), the least valuable and intelligent slaves were usually placed there; further, that being much isolated in small communities these slaves frequently had children of whom the father and mother were near blood relatives, producing deterioration of the race, it can excite no surprise that the negroes of South Carolina as a class are inferior to those from more northern States. An intelligent negro from a northern county of North Carolina, who had there learned the blacksmith's trade and had been hired to work on a railroad in South Carolina, stated to the Commission that he never knew what slavery really was until he left his native State. While there he was comparatively contented. Within a month after he reached South Carolina he determined to risk his life in an attempt to escape.

Yet the negro of South Carolina may be reached, and, with rare exceptions, he may, in a comparatively brief period, be in a measure reformed by judicious management. A chief agency in effecting such reform is the regular payment of wages for work done. Captain

Hooper, the acting superintendent at Port Poyal under General Saxton, having charge of some 17,000 refugees, testifies as follows:

Question. Do these persons work willingly for wages?

Answer. I never knew a case in which a colored man had reasonable security for getting wages, even moderate wages, that he was not ready to work.

Such cases, however, occur, as other witnesses testify; but the general rule is as Captain Hooper states it.

Mr. Frederick A. Eustis, son of General Eustis, who owned the plantation on Ladies Island, and who has returned to cultivate that plantation by hired labor, while expressing the opinion that the new system of labor in South Carolina was too lenient, and that "the negro should have no appeal, except in cases of extreme cruelty on the part of the superintendent," gave the following testimony as to the people now working on his own plantation:

I never knew during forty years of plantation life so little sickness. Formerly every man had a fever of some kind, and now the veriest old cripple, who did nothing under secesh rule, will row a boat three nights in succession to Edisto, or will pick up the corn about the corn-house. There are twenty people whom I know were considered worn out and too old to work under the slave system, who are now working cotton, as well as their two acres of provisions; and their crops look very well. I have an old woman who has taken six tasks (that is, an acre and a half) of cotton, and last year she would do nothing.

But the great school for giving character to the race in this State and elsewhere is military discipline. Colonel Higginson, commanding a colored regiment at Port Royal, was asked:

Question. Do you think that, as preparation for the life of a citizen, the organization of negroes into military bodies is important?

Answer. I should say, of unspeakable value.

Judge Smith, chairman of tax commissioners for the State of South Carolina, deposes:

Question. What is your idea about enlisting negroes as soldiers?

Answer. It is the best school in the world. If you could have seen the men who now compose the colored regiments here as they were before, lounging about with a shuffling gait, looking sideways with suspicious manner, and could have contrasted their appearance then with their present bold, erect carriage and free bearing, I am sure you would agree with me. It makes men of them at once.

The Commission bear emphatic testimony, so far as their researches have yet extended, to the truth of these remarks. The negro has a strong sense of the obligation of law and of the stringency of any duty legally imposed upon him. The law in the shape of military rule takes for him the place of his master, with this difference, that he submits to it heartily and cheerfully without any sense of degradation. The Commission believe that of all present agencies for elevating the character of the colored race, for cultivating in them self-respect and self-reliance, military training, under judicious officers, who will treat them firmly and kindly, is at once the most prompt and the most efficacious. In this respect the war, if the negro be employed by us as a soldier, becomes a blessing to him, cheaply bought at any price.

Under proper treatment public opinion among these people sets in in favor of military duty. No difficulty is anticipated in procuring colored men to enlist, provided those now in the field shall be regularly paid, and provided the determination of the Government to protect them in all the rights of the white soldier shall be clearly made known to them; especially if this latter determination shall be signified to them by the President in his own name.

Our Chief Magistrate would probably be surprised to learn with what reverence, bordering on superstition, he is regarded by these poor people. Recently at Beaufort a gang of colored men, in the service of the quartermaster, at work on the wharf, were discussing the qualifications of the President, his wonderful power, how he had dispersed their masters, and what he would undoubtedly do hereafter for the colored race, when an aged, white headed negro, a "praise man" (as the phrase is) amongst them, with all the solemnity and earnestness of an old prophet, broke forth:

What do you know 'bout Massa Linkum? Massa Linkum be ebrewhere. He walk de earth like de Lord.

As to reform in the matter of chastity and marriage, it requires time and patience to bring it about. Much more than half the cases of personal difficulty requiring intervention among the emancipated negroes in South Carolina have arisen out of infractions of the marital relation. In this respect there is a marked difference between South Carolina and North Carolina. Yet, even in the former State the old habits are speedily yielding to better teaching.

General Saxton deposed:

Question. Were the women under the slave system taught chastity as a religious duty?

Answer. No, sir; they were taught that they must have a child once a year.

Question. Has your observation led you to believe that the refugees pay regard to the marriage ceremony?

Answer. Yes, sir; whenever it is solemnized, I think that they do.

It is here to be remarked that in the cities there appears to have been a nearer approach to recognized marriage and to conjugal fidelity than in the country, and that there the church succeeded better in repressing juvenile incontinence.

As a general rule, however, the religion of the South Carolinian slave was emotional, and did not necessarily connect itself with the suppression of vicious habits, but rather with church observances. It produced, indeed, submission, humility, resignation, reliance on Providence, obedience to masters; but its effect in checking lying, thieving, incontinence, and similar offenses was feeble and uncertain. A slave has seldom any distinct moral perception that he ought to speak the truth, or to respect private property in the case of a person he dislikes, but these people are easily reached through their affections.

Whether because the race is not addicted to intemperance, or that they were here cut off from its temptation, drunkenness is an almost unknown vice.

Captain Hooper testified:

I never saw a negro drunk, and I heard of but one case, and that was of a man working on a vessel at Bay Point, who got whisky on board.

There is no disposition in these people to go North. General Saxton offered them papers for that purpose, but no one availed himself of the offer. They are equally averse to the idea of emigrating to Africa. These feelings are universal among them. The local attachments of the negro are eminently strong, and the Southern climate suits him far better than ours. If slavery be re-established in the insurrectionary States the North will indeed be flooded with fugitives fleeing from bondage, and the fears of competition in labor sought to be excited in the minds of Northern workingmen will then have some plausible foundation. But if emancipation be carried out, the stream

of negro emigration will be from the North to the South, not from the South to the Northern States. The only attraction which the North, with its winters of snow and ice, offers to the negro is that it is free soil. Let the South once offer the same attraction and the temptation of its genial climate, coupled with the fact that there the blacks almost equal the whites in number, will be irresistible. A few years will probably see half the free negro population now residing among us crossing Mason and Dixon's line to join the emancipated freedmen of the South.

The chief object of ambition among the refugees is to own property, especially to possess land, if it be only a few acres, in their own State. Colonel Higginson testified to his conviction that the effect of bounty land would be much greater on the colored than on the white soldier. They delight in the idea.

Working for wages, they soon get an idea of accumulating. Savings banks will be popular with them whenever their confidence is won.

The negro of Florida occupies an intermediate place between the slaves of North Carolina and those of South Carolina. He is more enterprising and more self-reliant than the latter. As a general rule, he enlists more willingly and makes an excellent soldier. Many of them were employed as lumbermen and in other vocations better calculated to call out their intelligence than the monotonous labor of the cotton-field.

SECTION III.—*Negroes as military laborers.*

Even under the present faulty or imperfect system of management, the refugee negroes furnish to the Government in various localities, in the shape of military labor, the full equivalent of the rations and the wages which they and their wives and children receive. Major-General Dix expressed to the Commission his opinion that such was at this time the case within his military department, with the single exception perhaps of a few rations to dependent women and children on Craney Island.(*a*)

To the same effect is the evidence obtained from Brigadier-General Saxton, Military Governor of the Department of the South, having about 18,000 refugees under his care. He testifies that, all things considered, they have been no expense to the Government.(*b*)

So far, in all the localities visited by the Commission, the demand for able-bodied negroes as laborers in the military service has greatly exceeded the supply. In many cases the supply has not met half the demand. During the time Mr. Vincent Colyer was superintendent at New Berne the standing requisition by Major-General Burnside for colored laborers was for 5,000; and at no time was Mr. Colyer able to furnish over 2,000. Major-General Dix informed the Commission that he had never been able to obtain colored laborers enough, and that he had, at the time the Commission visited him, an order from Washington for 500, which he had been unable to fill.

While the military operations are continued the services of the negro can be made effective in the prosecution of the war, even as a laborer alone, to a much greater extent than he has been heretofore

a Stated in a conference which the Commission had with General Dix at Fortress Monroe May 9, 1863.

b Testimony of General Saxton, taken June, 1863. He says: "The fact is that the colored people here have been of no expense to the Government. They have received a good many articles of clothing from charitable societies at the North; but the balance of credit, I think, is largely in favor of the negroes."

employed. An officer now acting as quartermaster in one of the divisions of the Army of the Potomac expresses, in a letter to the Commission, the opinion that at this time more than 10,000 white soldiers are detailed from the ranks for duty in the quartermaster's and commissary departments, on fatigue duty at the various headquarters, on pioneer service, &c., and that on marches, where guards for the trains, parties for cutting roads, building bridges, and similar labor are required, the number is much greater. If there be included the labor on intrenchments and fortifications, on garrison duty, in ambulance corps, in hospitals, as guides, and spies, &c., it will, the Commission believe, be found that one-eighth might be added to the available strength of our armies by employing negroes in services other than actual warfare. If we estimate our armies at 800,000 men, this would give 100,000 as the number of negroes who might be profitably employed in the military service, not estimating colored regiments. Nor do we hesitate in expressing the opinion that the duties referred to would be better performed by them than by white men detailed from the ranks; for all experienced officers know how difficult it is to obtain labor from soldiers outside of the ordinary routine of their duties.

In connection with the subject of military labor by refugees, the Commission here state that a proposal recently laid before the President of the United States by the president of the Metropolitan Railroad was submitted to this Commission, inviting their opinion upon it. Though important, this is a matter of detail on which the Commission are not prepared at this time to express an opinion.

The organization of freedmen employed as military laborers into brigades, with badges around their hats labeled "U. S. service," the men marched regularly to and from work, has been found in practice to have an excellent effect. It tends to inspire them with self-reliance, and it affords them protection.

SECTION IV.—*Negroes as soldiers.*

The policy of the Government in organizing on a large scale colored regiments has been so distinctly announced, and is now being so rapidly reduced to action, that the Commission need do no more than say in regard to it that all the evidence which has come before them bearing on the capacity of the negro as a soldier, including the observation in South Carolina and elsewhere, of negro troops, has confirmed them in the conviction that if the Government can, before the end of the present year, bring 200,000 or more colored troops into the field to serve during the war, the result will be alike advantageous to the cause of the Union and to the race to which these troops belong. Docility, earnestness, the instinct of obedience—these are qualities of the highest value in a soldier—and these are characteristics, as a general rule, of the colored refugees who enter our lines.

Another point in which these troops when brought under military rule show to advantage, is in their neatness and care of their persons, uniforms, arms, and equipments, and in the police of their encampments. Moreover, they are generally skillful cooks and providers, and exhibit much resource in taking care of themselves in camp. These qualities will be apparent to any one who inspects the negro regiments under Brigadier-General Wild in North Carolina, or under Colonel Higginson at Beaufort, or under Colonel Montgomery in Florida.

The spiritual or religious sentiment also strongly characterizes the African race; developed in somewhat rude phase, it is true, among Southern slaves, especially rude in the cotton States, but powerful, if appealed to by leaders who share it, as an element of enthusiasm. If the officers of colored regiments themselves feel, and impart, as they readily may, to their men the feelings that they are fighting in the cause of God and liberty, there will be no portion of the Army, the Commission believe, more to be relied on than negro regiments.(a)

But with these people, rather than with a more independent race, success depends upon whether their leaders are in sympathy with them, have gained their confidence, and can arouse their devotion.

For this reason, however important a judicious choice of officers is in all cases, the Commission consider that more depends upon this in the case of colored regiments than in that of the white troops. It is probable enough that colored regiments badly officered would be more liable to give way than badly officered regiments of the more self-reliant white race.

Colonel Higginson testifies:

I think they will depend more upon their officers than white troops, and be more influenced by their conduct. If their officers are intimidated, they will be; and if their officers stand their ground, so will they. If they lose their officers the effect will be worse upon them than upon white troops; not because they are timid, but because they are less accustomed to entire self-reliance. They criticise their officers very sharply. There is as much difference here in the standing of the various officers as in any white regiment.

Major-General Butler expressed to the Commission, in this connection, an opinion which they believe to be correct. He said:

Negroes are gregarious in fright, and in that particular the opposite of the Yankee. If a crowd of Yankees gets frightened, it is "every one for himself and God for us all." Now, the negroes have been accustomed to stand in a body against master and overseer. At a sudden alarm they segregate, they run to each other.

In connection with the value of the negro as a soldier the Commission earnestly invite your attention to the valuable assistance which our generals in command may obtain in exploring the enemy's country and detecting his position and plans, by the organization of companies of colored guides in connection with each army corps. On

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a This was written previously to the publication of Major-General Banks' official report of the assault upon Port Hudson on May 27, in which he bears the following testimony to the good conduct of the colored troops who formed part of the assaulting force:

"On the extreme right of our line I posted the First and Third Regiments of negro troops. The First Regiment of Louisiana Engineers, composed exclusively of colored men, excepting the officers, was also engaged in the operations of the day. The position occupied by these troops was one of importance, and called for the utmost steadiness and bravery in those to whom it was confided. It gives me pleasure to report that they answered every expectation. In many respects their conduct was heroic. No troops could be more determined or more daring. They made during the day three charges upon the batteries of the enemy, suffering very heavy losses and holding their position at nightfall with the other troops on the right of our line. The highest commendation is bestowed upon them by all the officers in command on the right. Whatever doubt may have existed heretofore as to the efficiency of organizations of this character, the history of this day proves conclusively to those who were in condition to observe the conduct of these regiments that the Government will find in this class of troops effective supporters and defenders. The severe test to which they were subjected, and the determined manner in which they encountered the enemy, leaves upon my mind no doubt of their ultimate success. They require only good officers, commands of limited numbers, and careful discipline to make them excellent soldiers."

this subject the Commission herewith submit a separate report, to which they pray reference.

If, as the Commission recommend, colored troops to the number of 200,000 be brought into the field, and negroes be employed in our armies in operations other than actual warfare to the extent of 100,000 more, we shall require the military services of 300,000 blacks. This number of able-bodied men represents a population of about a million and a half, being one-half of all the colored people in the insurrectionary States. To reach this number there is needed, besides military successes, a strict enforcement of the orders issued by the Government that all colored refugees be treated with justice and humanity. By such treatment alone can their confidence be won and strong inducements held out to others to join us. Upon such treatment depends, in a great measure, how large shall be the re-enforcements to be obtained by our armies at the expense of the enemy. Until a million and a half of slaves shall have forsaken their masters we shall not have the full military advantage which we ought to derive from this source. It is evident that it behooves us to hasten such a result and otherwise to promote the disintegration of the slave-labor system of the South by every means in our power.

If the placing in the field during the war of 200,000 efficient black troops, a measure demanded by the exigencies of the contest, which was commenced by the South, should ultimately prove to be one of the chief agencies to prevent the restoration of slavery in the insurrectionary States, such a condition of things would supply evidence that the very effort to perpetuate an abuse has been the means under Providence of effecting its eradication. The slave States will have been doomed themselves to forge a weapon to destroy that system, for the existence and extension of which, taking up arms, they have deluged a continent with blood.

In connection with the probabilities of our obtaining the above number of colored troops, it is the duty of the Commission to report the fact that in too many cases, not injustice only, but robbery and other crimes have been committed against fugitives on first entering our lines. As an example, the assistant superintendent at Suffolk, Va., informed the Commission that instances had come to his knowledge of pickets who sometimes kept refugees until their masters came for them, and sometimes sent them back, pocketing the reward. The examples, however, of this offense were not numerous. He stated further that "in hundreds of cases" the refugees had been robbed by the pickets, chiefly of money, but occasionally of other articles. Valuable horses, too, and other property were taken from them by the quartermaster without remuneration to the refugees who brought them in.

The robbery and kidnapings by pickets occurred in the above cases, as doubtless in others it does, in spite of the efforts of the provost-marshal to prevent it.

The practical effect of such crimes, of which the report soon penetrates into rebeldom, is, as regards the military service, the same as if white Union soldiers were habitually robbed by these pickets or were from time to time seized by them and delivered over as prisoners to the enemy. Until such outrages are effectually suppressed it is unreasonable to expect that disaffected slaves should desert their masters in numbers to incur the double risk of running the gauntlet, first through the enemy's pickets and then through our own. And this the rather, inasmuch as, from the relations they have hitherto

borne to white men and from the manner in which they have been treated by them, they naturally suspect the good intentions of our race toward theirs.

The above seems to the Commission so grave in its consequences as to justify a general order on the subject by the War Department.

As regards horses, wagons, and similar property brought within our lines by fugitives, it is proper, of course, that it be taken by the quartermaster when needed for the public service. But in such cases it should be paid for as other property taken from loyal men is paid for, either to the refugee, if he makes no demand on the Government for support for himself or for his family, or to the freedmen's fund in the hands of the superintendent, in cases in which the refugee or his family apply for rations or other governmental aid. The capture and carrying off of such property weakens the enemy, and we ought not to discourage the practice by depriving the captors of the legitimate reward for the risk they incur.

There is no legal reason why the conscription law should not apply to fugitives from labor as it does to white citizens. We have already, probably, placed in the field since the rebellion broke out a million and a quarter of white soldiers, nearly a third of our adult population between the ages of eighteen and forty-five. The investigations of the Commission, however, lead them to believe that if men of the proper stamp are selected as negro superintendents, these can and will procure the voluntary enlistment of a much larger proportion of able-bodied refugees than this. The more intelligent among these people not only feel that it is their duty to fight for their own freedom, but by proper appeal many of them can be made to understand that only by proving their manhood as soldiers, only through a baptism of blood, can they bring about such a change in public opinion as will insure for their race, from the present generation in this country, common respect and decent treatment in their social relations with whites.

In practice, it has been found that by judicious treatment it is not difficult to create among these people a state of public opinion such that every able-bodied man among them who refuses to enter the public service when required is tabooed by the rest, and falls into general contempt as a mean, despicable fellow. This was especially the case at New Berne as reported to the Commission by Mr. Vincent Colyer, formerly superintendent there. And the Commission believe it may be relied on in almost every case in which the superintendent has succeeded in awakening the sympathy and winning the confidence of those under his care.

In all cases, therefore, the Commission think that every expedient (short of bounties, which they do not recommend) should be employed to induce volunteering by freedmen before resorting to conscription or other coercive measures. Such measures, though for a time they may fill the ranks, are calculated to arrest that exodus from rebeldom of freedmen there held as slaves upon which we must depend to keep up the supply of colored recruits.

The Commission understand it to be your policy that to all colored soldiers of the United States shall be extended the same protection as to other U. S. troops, when taken prisoners by the enemy, as well as under all other circumstances. They cannot too strongly express their conviction that such a policy is demanded alike by justice and expediency, and that pains should be taken to make it officially and widely known.

SECTION V.—*Character of organization proposed.*

The researches and investigations of the Commission have not yet been sufficiently extended and thorough to justify them in suggesting a definite system for the ultimate solution of one of the gravest social problems ever presented to a Government. Certain measures, however, are, in the present emergency, evidently demanded, not merely from considerations of common humanity to alleviate the sufferings caused to non-combatant laborers by the forced derangement of industry consequent upon military invasion, but also in virtue of the fact that a great and radical industrial and domestic change, every hour in progress, and ultimately involving the eradication of a labor system which has been the growth of more than two centuries, needs, for a time to which we cannot yet assign a definite limit, to be, to a certain extent, facilitated and directed by governmental assistance and control. The two labor systems, namely, that of enforced slave labor and that of free compensated labor, are, in spirit and result, so thoroughly at variance that the change from the one to the other by four millions of people cannot safely be left undirected and uncared for, to work itself out, drifting on at haphazard, according to the chance shiftings of the current of daily events. The transition has not yet so far proceeded, nor have its effects so fully developed themselves as to supply reliable data whereupon to base a judgment as to the exact extent or duration of the guardianship which the new freedmen may require.

The system of apprenticeship in the English West Indies appears to have worked badly, and was terminated before the time originally fixed by law, but the defect may have been to a certain extent in its details, as to all which the Commission hope hereafter to be able satisfactorily to report. The question remains open whether and how soon the American-freedman, with the dependence engendered by the slave system still clinging to him, and, what is worse, weighted down in his efforts to rise by that prejudice which prompts men to despise whoever has long been their inferior, will be able peacefully to maintain his new rights and to protect himself against undue ascendency and imposition from the white man. Coming into competition with another race, one among the most energetic in the world, for the first time in the history of our country, on something like equal terms, will he if left to himself be overborne and crushed? And if he should be, will he bear it as patiently in his capacity of freedman as he has borne it under subjection as a slave?

On one point the Commission are already agreed, namely, that a scheme of guardianship or protection for one race of men against another race inhabiting the same country cannot become a permanent institution. If the necessity for the constant operation of such a scheme could be proved, the proof would amount to this, that the two races cannot in perpetuity inhabit the same country at all, and that the one must ultimately give way to the other.

The Commission, therefore, adopt the opinion that all special governmental measures, particularly those involving continuous expenditure, whether for the relief of poor Southern whites or of poor refugee blacks, or for the guardianship of such refugees, should be more or less temporary in their character, and should be prepared and administered in that idea and intent.

In this view of the case, the Commission state with satisfaction that in the course of their inquiries they have found unmistakable indica-

tions that the negro slave of the South, though in some respects resembling a child from the dependence in which he has been trained and the unreasoning obedience which has been exacted from him, and therefore, in many cases, seeking and needing for a season encouragement and direction, is by no means devoid of practical sagacity in the common affairs of life, and usually learns readily and quickly to shift for himself. This, the Commission think, it is just and desirable that he should be led to do at as early a period as is practicable, without further reliance for aid or guidance on the Government.

In this view, the Commission recommend that all "contraband camps" (as they are usually called) be regarded as places of reception and distribution only, and that the superintendents be informed that it is the policy of the Government not to continue the aggregation of these people in military villages a day longer than is necessary to dispose of them as military laborers or on plantations, or in other self-supporting situations. A temporary exception to this may be made in cases where it is found that women and children can contribute materially to their own support by washing or other service for troops in the neighborhood. But camp life for women and children has been found by experience to be demoralizing. In a general way, when abandoned plantations can be had, it will be found more expedient and more profitable to cultivate these, even though chiefly by women and children under eighteen years old, than to leave such persons dependent on mere village employment.

Upon the same principle the working of plantations by Government should be undertaken as a temporary expedient, rendered necessary during the period of transition. But as soon as there are found loyal and respectable owners or lessees of plantations who will hire the freedmen at fair wages this is to be preferred; or when the freedmen themselves have saved a little to start upon, or when they evince ability to manage a small farm or market garden of their own, such spots may be temporarily assigned to them, at a moderate rent, on forfeited estates until Congress, which can alone originate a public policy in regard to such lands, shall make, if it sees fit to make, some permanent arrangement touching this matter. Ultimately, when these lands come into market, the desirable result is that the freedmen should become owners in fee of the farms or gardens they occupy.

To the superintendent it must in a measure be left to select one or other of these plans, according to the varying circumstances in different places. When freedmen are hired in the neighborhood of the superintendent's station by the owners or lessees of plantations or of manufactories, it should be made the duty of the superintendent to keep an eye over them for the time being, so far as to ascertain that they have fair treatment and prompt payment of wages earned.

When refugees are employed by Government in the cultivation of plantations the Commission are of opinion that it is cheaper and better to pay them wages than to supply them and their families with rations, promising them half the crop. The custom in many places has been to give full rations to adults, male or female, and half rations to children under ten years of age. Thus, a family consisting of a man and wife and four children, two over ten years old, are entitled to five rations—a larger amount of food than they actually need. The cost of these rations in General Dix's department is 14½ cents each; consequently, such a family there costs the Government in rations alone $21.75 per month. But a white farm laborer in that vicinity can be hired for $20 a month, he supporting himself and

family. The freedman would have been entirely satisfied to be paid at the same rate and on the same conditions; while under the ration system, though actually receiving from the Government the equivalent of $1.75 per month more, he feels as if he were receiving no wages, but barely food, and has to go in rags unless private benevolence eke out a supply of clothing. Funds to pay these wages might be obtained from the "cotton fund" and from the sale of other personal property abandoned by the rebels, and could be repaid when the crops were disposed of.

If in any location it was found that refugee laborers on plantations receiving wages had no opportunity to purchase, on reasonable rates or within reasonable distance, such articles of food and clothing as they required, the remedy might be:

First. Either to sell them rations at cost and trust to their purchasing clothing elsewhere, an imperfect mode of remedying the evil;

Second. Or else, that encouragement should be given to the establishment, under proper restraints for a time, of stores for the accommodation of the freedmen. The department superintendent, hereafter to be spoken of, might be instructed to enter into correspondence with freedmen's relief associations in New York, New England, and elsewhere, and to suggest to them that instead of sending clothing and other supplies for gratuitous distribution, they would more effectually and more economically attain their object by intrusting on loan to some honest, trustworthy young person who had been trained to retail business, and upon whom they could depend for repayment, a few thousand dollars' worth of substantial food, dry goods, &c., such as are adapted to the wants of these freedmen, at moderate rates and of reliable quality. All persons establishing freedmen's stores might, on recommendation of the superintendent, receive from the general commanding a pass and permit to sell, revocable at any time in case of misconduct.

The Port Royal Relief Committee of Philadelphia established such a store last year at Port Royal, which has been eminently useful and successful.

If these stores be multiplied, it may be the means of introducing a useful class of young and enterprising settlers into portions of a country abandoned by slaveholders.

It is proper for the Commission here to say that scarcely anything is more essential to the good government and improvement of these refugees than that the wages they earn should be promptly and regularly paid. Nothing so encourages their influx from rebeldom as this, and it is most desirable that a freedman should learn as speedily as possible that emancipation means neither idleness nor gratuitous work, but fair labor for fair wages.

If additional argument in favor of such regularity of payment were needed, it is to be found in the fact well known to those who have had experience with these people as laborers, that where they are regularly paid a single threat suffices, in place of all other punishment, to check laziness and other delinquency—the threat, namely, of dismissal. But if the payment of wages be uncertain or delayed for months, such a threat has no force; and the foreman has no hold over those whose work he directs. In every case in which complaints were made to the Commission of the inefficiency of freedmen's labor they found, on inquiry, that wages had been withheld from these men for months. White laborers would not work at all under such circumstances.

In connection with this regular payment of wages, and also with the suggestion heretofore made, that the refugees acknowledging wives and children should be legally married, the Commission recommend a system of allotment, under which each married laborer or soldier shall be required at the time his pay is received to cede a part of it, proportioned to the size of his family, for their support in all cases where that family is left dependent on the Government. In cases where the freedman shall have provided a home and support for his own family, the amount to be allotted can properly be a matter of recommendation only; yet such recommendation will probably in almost all cases be as effectual as a positive requisition.

As the basis of a system of organization of freedmen, a first step, without which all subsequent steps will be attended with uncertainty and embarrassment, the Commission recommend a strict and comprehensive system of registration, to take effect as each refugee enters our lines. This should include not only a description of the person so as to insure identification if possible throughout life, but also all the facts bearing upon his legal claim to freedom. It should be stated to each, at the time he gives in his name, that he must not alter it hereafter, as slaves, when changing owners, are in the habit of doing. He should be made to understand that aliases are not permitted among freemen.

The specific forms of allotment and registration recommended will be found in instructions to be given to the department superintendents, which, if this report meet the sanction of the Department, the Commission will immediately prepare.

The Commission believe it to be another important feature, in a plan of organization for the care of refugees, that such organization should be substantially separate from and (except when military exigencies intervene) independent of the ordinary military administration of the Army, it being understood, however, that the refugees on first entering our lines come in charge of the provost-marshal, who turns them over to the proper superintendent, and that every superintendent shall be required to meet to the full extent of his ability all requisitions made upon him by the proper authorities for military laborers, payments or other supplies to refugees not in military service to be directly through the department superintendents, who should be required to give bond as army paymasters do, and whose reports should be made directly to the superintendent-general of freedmen.

The Commission, specially desirous to propose no scheme which might endanger a conflict of authorities, have taken pains to submit this feature of their plan to generals commanding departments whenever they have had opportunity—as to General Schenck at Baltimore; to General Dix at Fortress Monroe; to General Viele at Norfolk; to General Peck at Suffolk; to General Hunter at Hilton Head, and to General Saxton at Beaufort. Each of these officers, when such a separation was suggested, approved it in unqualified terms, usually adding that it would be the greatest relief to themselves to be freed from all care and responsibility in regard to refugees. One of these officers remarked that he had rarely found military abilities and the special qualifications needed to superintend freedmen united in the same person, especially in subalterns.

SECTION VI.—*Details of organization proposed.*

The Commission suggest a plan of provisional organization for the improvement, protection, and employment of refugee freedmen,

extending for the present over those districts of country only with the condition of which they have become acquainted, chiefly by personal inspection of the various locations, in part by reliable reports and depositions, namely, the District of Columbia, Eastern Virginia, North Carolina, South Carolina, and Florida.

The Commission have endeavored to adapt their plan not only to the immediate wants under the present condition of things, but also to meet such additional occupancy by Federal troops of the four States above named as is likely to occur during the present year and until Congress shall have had opportunity to legislate on this subject.

The Commission propose—

First. That the above region of country constitute three freedmen's superintendencies or departments, the first comprising the District of Columbia and Eastern Virginia, the second extending over North Carolina, and the third embracing the States of South Carolina and Florida.

Second. That there be appointed for each of these superintendencies a department superintendent, with the pay and allowances of colonel of cavalry.

Third. That there be appointed as many resident superintendents in each department as there are important stations therein, with not less in each than from 3,000 to 5,000 freedmen to care for; these resident superintendents to have the pay and allowances of captain of cavalry.

Fourth. That where the number of freedmen at any station shall exceed 7,000 or 8,000, and it is the opinion of the department superintendent, expressed in writing, that an assistant superintendent is required, there be appointed such assistant, with the pay and allowances of lieutenant of cavalry.

In all cases necessary transportation to be allowed to such superintendent.

Fifth. That there be appointed such clerks and foremen as may be necessary to carry out the details of this organization, with wages of from $1 to $3 a day, graduated according to the character of their duties.

And, finally, that there be detailed, as superintendent-general of freedmen, an officer of suitable qualifications, not under the rank of a brigadier-general, to whom and to his staff be assigned an office in the War Department, his staff officers acting as secretaries, and otherwise aiding him in his duties of supervision.

It will be seen that this organization presupposes three grades of superintendents, besides a chief as central head, thus:

One superintendent-general of freedmen for the United States.

Department superintendents—one for each superintendency, comprising not less than a State.

Resident superintendents—one for each residency, with not less than 3,000 freedmen to care for.

Assistant superintendents—one to aid the resident superintendent when the number of freedmen within the residency exceeds 7,000 or 8,000.

Together with the needful clerks and foremen.

The plan will not, the Commission believe, be deemed unnecessarily elaborate when the possibility is taken into account that the colored population, for whose supervision it is prepared, may reach the number of a million or a million and a half before the current year expires.

The Commission further propose that to the general officer detailed as superintendent-general of freedmen be committed, until Congress shall otherwise provide, the general supervision throughout the United States of the colored population emancipated by the President's proclamation and by acts of Congress, and the duty of seeing faithfully carried out the plan of organization which may be adopted.

That to this officer, as head of the organization, all reports of department superintendents, and all requisitions by them for money or other supplies, be addressed, and that it be his duty to lay these, with such remarks thereon as he may deem proper, before the Secretary of War.

That if, as the freedmen's superintendencies shall increase in numbers and importance, the officer aforesaid shall be of opinion that it will be useful to call together from time to time the department superintendents to sit for a few days as a board for consultation and for comparison of mutual experiences, it shall be at his option so to do, and of such a board he shall be chairman.

That each resident superintendent shall report at least once a month to the proper department superintendent, who shall communicate said reports, with such remarks thereon and such recommendations in regard to any requisitions they may contain as to him may seem proper, to the superintendent-general.

That each assistant superintendent report to the proper resident superintendent, who shall communicate such report, with his remarks thereon, if any he deem necessary, to the proper department superintendent.

A competent surgeon and hospital steward should be appointed for each residency, and an assistant surgeon added when the number of refugees attached to the residency requires it. It may be necessary at first to give these officers the pay and allowances of officers of the same rank in the Army; but it is very desirable that as soon as possible the proper relation between physician and patient be in a measure at least established by causing these medical men to depend in part for support on those whom they attend.

The importance of enlightened instruction, educational and religious, to these uneducated people, cannot be overestimated. It is pleasant to the Commission to be able to state their convictions, that the freedmen, in every district of country they have visited, eager to obtain for themselves, but especially for their children, those privileges of education which have hitherto been jealously withheld from them, may already be depended upon to support, in part, both teachers and pastors. The benevolent and religious societies of the North are aiding liberally in this good work, and the opinion of some of those who have taken a leading part in these philanthropic efforts (as expressed to the Commission) is that, with the aid of the freedmen themselves, they will be able for the present and until the number of refugee freedmen shall materially increase, to supply in most cases the necessary literary and religious instruction. If in the organization of the various superintendencies this opinion should prove to be correct, it is well. But organized efforts of private benevolence are usually uncertain in their duration, and a greatly increased immigration of refugees may so augment the number of freedmen needing instruction that the demand for school teaching and pastoral care will exceed the supply. In that case it may be necessary in certain locations that Government for the time being detail a chaplain to take the religious

charge of a residency, and that it pay the salaries of the necessary teachers until the freedmen's schools become self-supporting.

As to these matters it should be made the duty of the department superintendent specially to report.

Meanwhile the Government should afford transportation to any religious or secular teachers who are duly accredited by respectable societies and supported, in whole or in part, from the funds of such societies.

As a general rule the refugees will probably sooner be able to pay their clergymen than to provide the requisite number of teachers for their children. The freedmen of New Berne have recently invited a private of the Forty-third Massachusetts Volunteers, named Edward Fitz, of the Methodist persuasion and having a license to preach, to become their pastor, at a salary of $1,000 a year.

The organization proposed will be incomplete in these parts of the superintendencies here spoken of, in which the ordinary courts of justice are suspended, unless temporary provision be made for a magistracy, through whose action these people may learn the important lesson that the obedience which, as slaves, they paid to the will of a master, must now be rendered by them as freedmen to established law, care being taken not to encourage them to become litigious. In this view the Commission recommend that wherever, throughout the superintendencies aforesaid, justices of the peace and circuit and other judges have ceased to hold their sessions a provost-judge, if he be not already appointed, should be. The lack of such an officer at Port Royal is very much felt.

They further recommend that the proper department superintendent be vested with authority to bring to conciliation and settlement all difficulties arising between freedmen, except where resort to a provost-judge or other legal tribunal becomes necessary. Where a case of difficulty occurring between a freedman and a white man goes before a provost-marshal or provost-judge, or before any regularly established legal tribunal, it should be made the duty of the department superintendent so far to act as friend and adviser for the freedman as to see to it that his case is fairly presented and tried, and to this end, in important cases, where necessary, to employ legal counsel. In all these cases the department superintendent should give such counsel and advice as shall tend to justice between the parties, acting in person when practicable, but, if necessary, he may be allowed to appoint the appropriate resident superintendent to act for him as deputy during his absence in the settlement of minor cases.

It should be specially recommended to the department superintendent, in the settlement of all personal difficulties between these people, to act as arbitrator rather than as formal judge, adopting the general principles governing courts of conciliation. And it is confidently believed by the Commission that if he shall succeed in gaining the confidence of the freedmen under his charge he will, with rare exceptions, be able amicably and satisfactorily to adjust such difficulties without further resort to law.

As to the mode of appointment of superintendents and employés above proposed, the Commission suggests as follows:

That the department superintendents be appointed by the Secretary of War.

That the resident superintendents and assistant superintendents be nominated to the superintendent-general by the respective department superintendents for confirmation or rejection.

That clerks, when needed at any freedmen's station, be nominated by the resident superintendent to the department superintendent for confirmation or rejection.

That resident superintendents may, with the concurrence of the department superintendents, appoint foremen when needed.

But that the number of residencies in a department, and also the number of assistant superintendents, be determined, after a report on the subject from the department superintendent to the superintendent-general aforesaid, by that officer.

In the above recommendations as to the mode of appointing subordinate officers, the Commission are influenced by their conviction that it is a principle of great practical importance in administrative organizations that upon all officers to whom subordinates are immediately responsible should be thrown, as far as prudence permits, the responsibility, by selection of such subordinates, of having about them only men of character and of proper qualifications. When a workman has choice of tools he cannot throw the blame of bad workmanship upon them.

The Commission here desire to record their profound conviction that upon the judicious selection of department superintendents and of superintendent-general of freedmen will mainly depend the successful practical workings of the above-sketched plan of organization. The African race, accustomed to shield itself by cunning and evasion and by shirking of work, whenever it can be safely shirked, against the oppression which has been its lot for generations, is yet of genial nature, alive to gratitude, open to impressions of kindness, and more readily influenced and led by those who treat it well and gain its confidence than our race or, perhaps, than any other. The wishes and recommendations of Government, if they are not harshly enforced, but quietly communicated by those who understand and sympathize with the African nature, will be received and obeyed as commands in almost every instance. It is highly important, therefore, that those who have in charge the interests of these freedmen shall be men not only of administrative ability but also of comprehensive benevolence and humanitarian views.

On the other hand, it is equally desirable that these refugees, as readily spoiled as children, should not be treated with weak and injurious indulgence. Even-handed justice, not special favor, is what they need. Mild firmness is the proper spirit in which to control them. They should find themselves treated, not as children of preference, fostered by charity, dependent for a living on Government or on benevolent associations, but as men from whom, in their new character of freedmen, self-reliance and self-support are demanded.

Superintendents imbued with this spirit and the views here recommended will, if they possess a fair amount of executive talent, find little difficulty in managing refugee freedmen, and, with infrequent exceptions, will meet with no factious opposition on their part.

In first putting into operation this plan of management, it is recommended that the present superintendent in the departments referred to be either confirmed as resident or assistant superintendents under the new organization or at once relieved from duty.

SECTION VII.—*General results.*

The problem, in the solution of which the Commission has been called to aid, is of a mixed character. Together with obvious and

imperative considerations of humanity, it involves great questions of Christian civilization and of statesmanship. But most urgent at the present moment are its relations with the national struggle in which we are engaged, and with the issue of that struggle for good or evil.

Proposing hereafter to embody in a more maturely considered report the more complex and difficult inquiries of a general character above suggested, the Commission dismiss these for the present with a single brief remark:

The observations of the Commission in the sections of country visited by them, together with the evidence obtained from those having most experience among freedmen, justify the conclusion that the African race, as found among us, lacks no essential aptitude for civilization. In a general way the negro yields willingly to its restraints, and enters upon its duties not with alacity only but with evident pride and increase of self-respect. His personal rights as a freedman once recognized in law and assured in practice, there is little reason to doubt that he will become a useful member of the great industrial family of nations. Once released from the disabilities of bondage, he will somewhere find, and will maintain, his own appropriate social position.

The Commission revert to the question in its relation to the existing insurrection. Its importance in that connection can hardly be overestimated. If the slaves of the South are loyal to the Union, the North will have itself alone to blame if the war is not speedily and triumphantly closed. Scarcely any other question, therefore, is more intimately connected with the future destiny, prosperous or decadent, of this nation.

But in point of fact it admits of no reasonable doubt that the Southern slaves as a body do desire release from bondage, from forced and often excessive labor, from arbitrary and often inhuman punishment. Their masters have sought to inspire them with a dread of "Yankee abolitionists;" but while doubtless assenting, as the habit of the slave is, to these denunciations of Northern emancipationists, all facts prove that these men as a general rule see through the flimsy pretense and are willing to risk severe punishment, sometimes death itself, whenever they have good reason to hope that in deserting their masters they will find in us just and sincere friends, able and willing to put them in a condition in which they may enjoy the fruits of their own labor.

But we, by our policy toward these people, may encourage or we may discourage that hope. The point on which they are peculiarly sensitive and chiefly need assurance is as to the absolute and irrevocable certainty of their freedom. We cannot expect this untutored race to understand the abstract proposition that a great nation, after having solemnly declared through its Chief Magistrate that 3,000,000 of its inhabitants shall be forever free, cannot, without utter degradation in the eyes of the civilized world, repudiate that declaration and reconsign these millions to slavery. They must have more tangible proof of the reality and unchangeable character of their emancipation. They must feel themselves treated as freemen before they can fully realize the fact that they are and will forever remain such.

We, by our misconduct, may give color and force to the misrepresentations of slave-holders touching our ultimate intentions toward the negro race. We may cause doubts in the minds of this enslaved people whether in flying from ills they know they may not encounter worse ills by the change.

Every aggression, every act of injustice committed by a Northern man against unoffending fugitives from despotism, every insult offered by the base prejudice of our race to a colored man because of his African descent, is not only a breach of humanity, an offense against civilization, but is also an act which gives aid and comfort to the enemy. The report of it goes abroad, penetrates into the enemy's country. So far as its influence there extends, the effect is to deter the slave from leaving his master, therefore to secure to that master a bread producer and by the same act to deprive the Union of a colored soldier, and compel the Government, by conscription, to withdraw a laborer from a Northern farm.

The practical effect, therefore, of abuse and injury to colored people in these days is not alone to disgrace the authors of such acts, but to compel conscription and to strip the North, already scant of working hands, of the laborers and the artisans that remain to her. Thousands of fields owned by white men may remain untilled, thousands of hearths owned by white men may be made desolate, all as the direct result of the ill-treatment of the colored race.

Such a spirit is not treasonable in the usual sense of that term, yet its results are the same as those of treason itself. It becomes, therefore, in a military point of view, of the highest importance that all wanton acts of aggression by soldiers or civilians, whether against refugees or against free negroes heretofore settled in the North, should be promptly and resolutely repressed and the penalties of the law in every such case vigorously enforced. A prudent regard for our own safety and welfare, if no higher motive prompt, demands the taking of such precaution.

We have imposed upon ourselves an additional obligation to see justice and humanity exercised toward these people in accepting their services as soldiers. It would be a degree of baseness of which we hope our country is incapable to treat with contumely the defenders of the Union—the men who shall have confronted death on the battle-field, side by side with the bravest of our own race, in a struggle in which the stake is the existence in peace and in their integrity of these United States.

We are unjust to our enemies if we deny that this struggle has been a hard-fought one, contested bravely and with varying success. A people with an element of semi-barbarism in their society, giving birth to habits of violence and of lawless darings, are, in some respects, better prepared for war than one which stands on a higher plane of Christian civilization. Add to this that our task is the more arduous because to quell the rebellion we have had to become the invaders. Under these circumstances, can we overlook the fact that several hundred thousand able-bodied men, detached from the labor ranks of the enemy and incorporated into the army of the North, may essentially influence the decision of the issue?

There is an additional reason why a considerable portion of the Union armies should be made up of persons of African descent. The transformation of the slave society of the South into free society, no longer properly a question, has become a necessity of our national existence. Reflecting men have already reached the conclusion, and the mass of our people are attaining to it day by day, that the sole condition of permanent peace on this continent is the eradication of negro slavery. But the history of the world furnishes no example of an enslaved race which won its freedom without exertion of its own. That the indiscriminate massacres of a servile insurrection have been

spared us, as addition to the horrors of a civil war, is due, it would seem, rather to that absence of revenge and blood-thirstiness which characterizes this race than to the lack either of courage or of any other quality that makes the hardy combatant, for these the negro appears, so far as we have tried him in civilized warfare, to possess (*a*). And in such warfare is it fitting that the African race seek its own social salvation? The negro must fight for emancipation if he is to be emancipated.

If, then, emancipation be the price of national unity and of peace, and if a people, to be emancipated, must draw the sword in their own cause, then is the future welfare of the white race in our country indissolubly connected with an act of justice, on our part, toward people of another race; then is it the sole condition under which we may expect, and, if history speak truth, the sole condition under which we shall attain, domestic tranquillity, that we shall give the negro an opportunity of working out, on those battle-fields that are to decide our own national destiny, his destiny, whether as slave or as freedman, at the same time.

The Commission have been instructed to report how colored freedmen "can be most usefully employed in the service of the Government for the suppression of the rebellion." The above remarks may suffice as the record of their profound conviction, that no more effectual aid can be had in the speedy suppression of the rebellion and

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a At the moment of writing this the newspapers of the day arrive, containing the following private letter from an actor in the fight at Milliken's Bend, and an eyewitness of the desperate valor of the negro troops there engaged. It appeared originally in the Galena (Ill.) Advertiser, and bears the marks of truth and accuracy:

"THE GREAT GALLANTRY OF THE NEGRO TROOPS AT MILLIKEN'S BEND.

"We publish below a very interesting letter of Capt. M. M. Miller, of this city, of the Ninth Louisiana (colored) Regiment. Captain M. is a son of W. H. Miller, esq., for many years a citizen of Galena. At the time of the breaking out of the rebellion he was a student in Yale College, and had nearly completed his course. He left his studies, however, and returned home; enlisted as a private in the celebrated Washburne Lead Mine Regiment, from whence he was taken and made captain of a colored company. His statement can be relied on as literally true, and we venture to say the history of the world shows no more desperate fighting than that done by his company at Milliken's Bend. Every man but one in his company was either killed or wounded, and many of them in a hand-to-hand bayonet struggle:

'MILLIKEN'S BEND, *June 10, 1863.*

'DEAR AUNT: We were attacked here on June 7, about 3 o'clock in the morning, by a brigade of Texas troops, about 2,500 in number. We had about 600 men to withstand them, 500 of them negroes. I commanded Company I, Ninth Louisiana. We went into the fight with 33 men. I had 16 killed and 11 badly wounded, 4 slightly. I was wounded slightly on the head, near the right eye, with a bayonet, and had a bayonet run through my right hand near the forefinger; that will account for this miserable style of penmanship.

'Our regiment had about 300 men in the fight. We had 1 colonel wounded, 4 captains wounded, 2 first and 2 second lieutenants killed, 5 lieutenants wounded, and 3 white orderlies killed and 1 wounded in the hand and two fingers taken off. The list of killed and wounded officers comprises nearly all the officers present with the regiment, a majority of the rest being absent recruiting.

'We had about 50 men killed in the regiment and 80 wounded, so you can judge of what part of the fight my company sustained. I never felt more grieved and sick at heart than when I saw how my brave soldiers had been slaughtered, one with six wounds, all the rest with two or three, none less than two wounds. Two of my colored sergeants were killed, both brave, noble men; always prompt, vigilant, and ready for the fray. I never more wish to hear the expression, "The niggers wont fight." Come with me 100 yards from where I sit and I can show

the restoration of permanent peace than is to be obtained by inducing the hearty co-operation of these freedmen, and by giving full scope to their energies as military laborers and soldiers during the continuance of the war.

Beyond this it remains for the Commission to bring to your notice a statement communicated to them by Major-General Butler, namely, that many of the Louisiana planters, while professing loyalty, "had agreed together not to make any provision last autumn for another crop of sugar, hoping thereby to throw upon us this winter an immense number of blacks without employment and without any means of support for the future, the planters themselves living on what they can make from the last crop."

To what extent this policy has been carried out, either in Louisiana or in other States, the Commission have not yet the means of judging. Up to the point at which able-bodied freedmen are needed as laborers or soldiers in the Army—say 300,000 or upward—there can be, for the present season, no difficulty arising out of any such combination among disaffected planters. Even beyond that point the evident remedy is that any surplus be employed in plantation labor. Meanwhile women and children under eighteen can be so employed, and

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you the wounds that cover the bodies of 16 as brave, loyal, and patriotic soldiers as ever drew bead on a rebel.

'The enemy charged us so close that we fought with our bayonets hand to hand. I have six broken bayonets to show how bravely my men fought. The Twenty-third Iowa joined my company on the right, and I declare truthfully that they had all fled before our regiment fell back, as we were all compelled to do.

'Under command of Colonel Page I led the Ninth and Eleventh Louisiana when the rifle-pits were retaken and held by our troops, our two regiments doing the work.

'I narrowly escaped death once. A rebel took deliberate [aim] at me with both barrels of his gun, and the bullets passed so close to me that the powder that remained on them burned my cheek. Three of my men who saw him aim and fire thought that he wounded me each fire. One of them was killed by my side, and he fell on me, covering my clothes with his blood, and before the rebel could fire again I blew his brains out with my gun.

'It was a horrible fight, the worst I was ever engaged in, not even excepting Shiloh. The enemy cried, "No quarters," but some of them were very glad to take it when made prisoners.

'Colonel Allen, of the Seventeenth Texas, was killed in front of our regiment, and Brigadier-General Walker was wounded. We killed about 180 of the enemy. The gun-boat Choctaw did good service shelling them. I stood on the breast-works after we took them, and gave the elevations and direction for the gun-boat by pointing my sword, and they sent a shell right into their midst, which sent them in all directions. Three shells fell there, and 62 rebels lay there when the fight was over.

'My wound is not serious, but troublesome. What few men I have left seem to think much of me because I stood up with them in the fight. I can say for them that I never saw a braver company of men in my life.

'Not one of them offered to leave his place until ordered to fall back; in fact, very few ever did fall back. I went down to the hospital three miles to-day to see the wounded. Nine of them were there, two having died of their wounds. A boy I had cooking for me came and begged a gun when the rebels were advancing, and took his place with the company, and when we retook the breast-works I found him badly wounded with one gunshot and two bayonet wounds. A new recruit I had issued a gun to the day before the fight was found dead, with a firm grasp on his gun, the bayonet of which was broken in three pieces. So they fought and died defending the cause that we revere. They met death coolly, bravely; not rashly did they expose themselves, but all were steady and obedient to orders.

'So God has spared me again through many dangers. I cannot tell how it was I escaped.

'Your affectionate nephew,

'M. M. MILLER.'"

the produce of their labor may be of great importance, in view of the possible scarcity of provisions next season throughout the South, consequent on the destruction and consumption incident to war and the non-cultivation of many plantations, whether by express combination of planters or from other causes.

It is here worthy of remark that in receiving any given number of colored emigrants from the rebel States a much larger proportion of field laborers is to be found than in the same number of white emigrants, the reason being that the women as well as the men—even girls of fifteen and upward—are usually accustomed to plantation labor, and often, from force of habit, prefer it to any other. This is an important item in estimating the aid which may be derived from negro refugees.

Upon the whole, the Commission conclude that there is not the least risk that such refugees will flock to us more rapidly than they are needed and than they can be advantageously employed. The only question is whether we shall be able to induce them to join us in such numbers and as speedily as is to be desired. It is in our own hands to hasten the time and increase the number, and it is doubtful whether in the conduct of the war there is a more important duty to perform.

All which is respectfully submitted.

ROBERT DALE OWEN,
JAMES McKAYE,
SAML. G. HOWE,
Commissioners.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., June 30, 1863.

Maj. Gen. GEORGE C. THOMAS,
Militia of the District of Columbia:

SIR: The President of the United States directs that you order out for immediate service eight regiments of the militia infantry of this District.

They must be paraded as soon as practicable, and will be mustered into the U. S. service for sixty days, unless sooner discharged.

The Ordnance Department will issue the necessary arms and equipments, and the Adjutant-General will designate officers to muster the militia into service according to existing orders. The troops thus called out will be under your command.

You will please see that this order is executed with as little noise and display as possible.

If companies of the uniformed volunteer cavalry and infantry of the District present themselves for muster into U. S. service, in accordance with the provisions of the order, they will be accepted.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

SURGEON-GENERAL'S OFFICE,
Washington City, D. C., June 30, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I have the honor to report that official information has been received at this office relative to the comparative liability of white

and colored troops to diseases of malarious origin, which is both of importance and interest.

In the Department of the Gulf white and colored troops are serving together, subject to the same miasmatic influences and performing the same duties. According to the report of Medical Inspector Townshend the proportion of white soldiers affected with malarious diseases, such as remittent, intermittent, and typhoid fever, diarrhea, dysentery, neuralgia, chronic rheumatism, &c., is 10.8 per cent., whilst the colored soldiers are only so affected to the extent of 0.8 of 1 per cent. In round numbers, therefore, eleven white soldiers suffer from this class of diseases to one negro.

This result was not unexpected. The experience of the British Government through a series of years has been to the same effect, as is seen from the following table, in which the ratios of mortality among the white and negro troops serving in the armies of Great Britain are given:

	English.	Negroes.
Jamaica	101.9	8.2
Bahamas	159.0	5.6
Honduras	81.0	4.4
Sierra Leone	410.0	2.4
Mauritius	1.7	0.0
Ceylon	24.6	1.1

The advantages are thus proven to be altogether with the colored troops, who are shown to be far more capable of resisting the morbid influences of malaria than white men similarly situated.

I am, sir, very respectfully, your obedient servant,

W. A. HAMMOND,
Surgeon-General.

Exhibit showing the quotas and the number of troops furnished by the State of Delaware, to include June 30, 1863.

THREE-YEARS.

Due:	
Quota under calls of 1861	3,145
Quota under call July 2, 1862	1,720
	4,865
Furnished:	
Under call of 1861—	
2 regiments of infantry	1,618
Under call of July 2, 1862—	
3 regiments of infantry	2,722
1st Regiment of Cavalry	339
1st Battery of Artillery	143
Deficiency	43
	4,865

NINE-MONTHS.

Due:	
Quota under call 300,000 militia	1,720
Furnished:	
Furnished	None.
Deficiency	1,720

The above statement is made from the muster-rolls on file in this office up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.	Total.
1861:				
1st Regiment	921			
2d Regiment	697			1,618
1862:				
4th Regiment	890			
5th Regiment	912			
6th Regiment	920			2,722
1st Regiment		339		339
1st Battery			143	143
Total				4,822

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 30, 1863.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., June 30, 1863—11.10 p. m.

Hon. OLIVER P. MORTON,
Governor, Indianapolis, Ind.:

The ruling of the War Department is and has been from the beginning, according to my understanding, that six-months' men should not be exempt from draft, but if drafted should be credited with the time they may have served in the six-months' organizations. To exempt them for six months would practically amount to entire exemption, and thus make six-months' volunteer service in some States equivalent to three-years' service under the draft in others. This would seriously interfere with enforcing the draft, and would be unjust.

JAMES B. FRY,
Provost-Marshal-General.

Exhibit showing the quotas and the number of troops furnished by the State of Kansas, to include June 30, 1863.

THREE-YEARS.

Due:	
Quota under calls of 1861	3,285
Quota under call July 2, 1862	1,771
Excess	4,833
	9,889
Furnished:	
Under calls of 1861—	
3 regiments of infantry	2,477
5 regiments of cavalry	4,128
1 company of artillery	162
1 company of rangers	69
Recruits for all arms	276
Under call of July 2, 1862—	
3 regiments of infantry	2,651
1 company of artillery	126
Recruits (see above)	None.
	9,889

NINE-MONTHS.

Due:
Quota under call 300,000 militia..... 1,771
Furnished:
Furnished..... None.
Deficiency..... 1,771

The above statement as made from the muster-rolls on file in this office up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.	Rangers.	Total.
1861.					
1st Regiment	902				
8th Regiment	713				
10th Regiment	862				2,477
2d Regiment		739			
5th Regiment		844			
6th Regiment		920			
7th Regiment		882			
9th Regiment		743			4,128
1 company			162		162
1 company				69	69
1862.					
11th Regiment	882				
12th Regiment	893				
13th Regiment	876				2,651
1 company			126		126
Total					9,613

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 30, 1863.

MEMORANDA.—The foregoing shows the total number of white troops furnished by the State of Kansas up to date, according to the rolls on file. Neither rolls nor returns are complete. Kansas has raised in addition to the above during 1862 2,262 Indians, organized into three regiments; also one colored regiment, of which complete rolls have not been received.

WAR DEPARTMENT,
Washington City, June 30, 1863.

Major-General COUCH,
Harrisburg:

The views stated in your telegram of last night in respect to recruiting are correct and your order entirely proper. The complaint made required information as to the exact state of the matter to enable me to judge whether there was any misunderstanding of the law or of instructions. As there seems to be none, there is no occasion for any action by the Department in the matter except to notify the Union League that they must conform to your orders. This notice I shall give immediately.*

EDWIN M. STANTON,
Secretary of War.

*This in reply to Couch, Series I, Vol. XXVII, Part III, p. 408.

WAR DEPARTMENT,
Washington City, D. C., June 30, 1863.

J. R. FRY, Esq.,
Chairman, Philadelphia:

General Couch explains that his order is pursuant to the act of Congress which directs enlistments in the U. S. service to be for a period of not less than six months unless sooner discharged, and that the Governor's enlistments are for three months. The general's view of the law is correct, and there should be no difficulty in conforming to it. If the present raid is overcome, it will be in less than three months, and there will be no disposition to hold troops longer than necessary. If they will enlist only for three months, let it be done under the State organization.

EDWIN M. STANTON.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., June 30, 1863.

Lieutenant-Colonel WHIPPLE,
Assistant Adjutant-General, Philadelphia, Pa.:

The muster-in rolls of the 60,000 State militia should have words "Pennsylvania" instead of "United States," and "Governor" in lieu of "President." They are not called out by the United States, nor are they to be mustered into U. S. service.

In reply to your telegram of yesterday.

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, June 30, 1863.

Major-General BROOKS,
Pittsburg:

To your telegram of this date,* I reply—

First. That the transportation accounts in respect to the three-months' men called out by Governor Curtin must be settled by the Quartermaster's Department.

Second. The quartermaster will fill any requisition for clothing for three-months' men made by Governor Curtin, who must make the requisition.

Third. I understand that the troops called out by Governor Curtin decline to be sworn into the U. S. service, but will be turned over to your command by the Governor. The offer should be made to receive them into the U. S. service, so that they may accept or refuse. But if they refuse, you will, nevertheless, receive them and furnish quarters and subsistence while they serve under your command, without insisting upon their being sworn into the U. S. service.

EDWIN M. STANTON,
Secretary of War.

[JUNE 30, 1863.—For correspondence relating to Pennsylvania militia, see Brooks to Stanton; McClure to Lincoln, Series I, Vol. XXVII, Part III, pp. 435, 436.]

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*See Series I, Vol. XXVII, Part III, p. 435.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL
FOR STATE OF PENNSYLVANIA,
Harrisburg, Pa., June 30, 1863.

Col. J. B. FRY,
Provost-Marshal-General, Washington City, D. C.:

COLONEL: I have the honor to state that I anticipate considerable delay in the executing of orders contained in the communication from your office of the 11th instant, in consequence principally of the want of information as to the persons with whom I should hold communication relative thereto. Immediately on its receipt I wrote to Colonel Whipple, military commandant at Philadelphia, expressing the object to be attained, as well [as] the desire that if not competent to act in the matter he would refer it to the proper authority.

I have received no answer, and respectfully suggest that an order from Washington in the proper direction would prevent the delays which now seem inevitable.

I feel impelled also to ask your attention in providing for a more permanent guard or military force to assist the provost-marshals in the mining districts than those furnished at present. Captain Tower, provost-martial at Pottsville, informs me that General Haldeman, in Philadelphia, has authorized the withdrawal of the guard at Pottsville. In consequence I have telegraphed to General Dana requesting him to interfere and prevent it, for fear of the very serious consequences which it would occasion to the Government.

In fact, it is as much as I can do, with the constant presence of these guards, to prevent a general rising and widespread opposition.

Very respectfully, your obedient servant,

J. V. BOMFORD,
Lieut. Col. 16th U. S. Infty., Actg. Asst. Prov. Mar. Gen. for Pa.

PROVIDENCE, *June 30, 1863.*

Col. J. B. FRY:

It is hardly possible to complete the cavalry regiment for three years or the war before the draft, if ordered as soon as indicated in your dispatch of 29th instant. Cannot the draft be delayed until made general and give time to complete the regiment by volunteers? If not, the only hope of success upon such limited notice of authority to raise it for three years would be that volunteers so enlisted would be credited upon a second draft, if made upon this State. Three years would be preferred by the cavalry and the regiment could be filled promptly, if even a limited time was given before the draft, or that delayed a few weeks.

JAMES Y. SMITH,
Governor.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., June 30, 1863.

Governor J. Y. SMITH,
Providence, R. I.:

The first draft will be for the first proportional part of the quota of each State. When the second draft shall be made, credit will be given for all men who may have, up to that time, volunteered for three years or the war.

JAMES B. FRY,
Provost-Marshal-General.

Consolidated abstract from returns of the U. S. Army for June 30, 1863.

Command.	Present for duty.		Aggregate present.	Aggregate present and absent.
	Officers.	Men.		
Department of the Cumberland (Rosecrans)	5,112	79,258	97,142	133,044
Department of the East (Wool)	105	1,716	2,705	2,992
Department of the Gulf (Banks)	1,561	32,329	42,777	58,757
Middle Department (Schenck)	380	5,710	7,417	8,505
Department of the Missouri (Schofield)	1,289	26,539	35,154	43,770
Department of the Monongahela (Brooks)	23	666	766	784
Department of New Mexico (Carleton)	121	2,226	2,961	3,466
Department of North Carolina (Foster)	469	9,586	12,166	24,964
Department of the Northwest (Pope)	303	5,931	6,938	9,278
Department of the Ohio (Burnside)	1,613	29,095	37,151	49,021
Department of the Pacific (Wright)	232	3,637	4,848	5,509
Department (or Army) of the Potomac (Meade)	6,629	97,627	117,980	171,386
Department of the South (Gillmore)	805	15,946	21,323	25,208
Department of the Susquehanna (Couch)	860	12,894	15,036	17,007
Department of the Tennessee (Grant)	6,093	103,111	138,052	181,089
Department of Virginia (Dix)	1,591	29,764	33,880	42,627
Department of Washington (Heintzelman)	1,025	20,442	32,644	38,727
Department of West Virginia (Kelley)	629	14,180	15,918	18,277
Troops en route in Maryland *a*	563	10,186	11,379	13,475
Total	29,463	500,843	636,189	847,886

a Not elsewhere reported, and consisted of Elliott's command, French's division, and Lockwood's brigade, all of which subsequently joined the Army of the Potomac.

CIRCULAR No. 36. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, July 1, 1863.*

The following opinion of Hon. William Whiting, Solicitor of the War Department, is published for the information and guidance of all officers of this Bureau:

Arrest of Deserters—Habeas Corpus.

OPINION.

It is enacted in the seventh section of the act, approved March 3, 1863, entitled "An act for enrolling and calling out the national forces, and for other purposes," that it shall be the duty of the provost-marshals appointed under this act "to arrest all deserters, whether regulars, volunteers, militiamen, or persons called into the service under this or any other act of Congress, wherever they may be found, and to send them to the nearest military commander or military post.

If a writ of habeas corpus shall be issued by a State court, and served upon the provost-marshal while he holds under arrest a deserter, before he has had opportunity "to send him to the nearest military commander or military post," the provost-marshal is not at liberty to disregard that process. "It is the duty of the marshal, or other person having custody of the prisoner, to make known to the judge or court, by a proper return, the authority by which he holds him in custody. But after this return is made, and the State judge or court judicially apprised that the party is in custody under the authority of the United States, they can proceed no further.

"They then know that the prisoner is within the dominion and jurisdiction of another Government, and that neither the writ of habeas corpus nor any other process issued under the State authority can pass over the line of division between the two sovereignties. He is then within the dominion and exclusive jurisdiction of the United States. If he has committed an offense against their laws their tribunals alone can punish him. If he is wrongfully imprisoned their judicial tribunals can release him and afford him redress. And, although, as we have said, it is the duty of the marshal, or other persons holding him, to make

known, by a proper return, the authority under which he retains him, it is, at the same time, imperatively his duty to obey the process of the United States, to hold the prisoner in custody under it, and to refuse obedience to the mandate or process of any other government. And, consequently, it is his duty not to take the prisoner nor suffer him to be taken, before a State judge or court upon a habeas corpus issued under State authority. No State judge or court, after they are judicially informed that the party is imprisoned under the authority of the United States, has any right to interfere with him, or require him to be brought before them. And if the authority of a State, in the form of judicial process or otherwise, should attempt to control the marshal, or other authorized officer or agent of the United States in any respect, in the custody of his prisoner, it would be his duty to resist it, and to call to his aid any force that might be necessary to maintain the authority of law against illegal interference. 'No judicial process, whatever form it may assume, can have any lawful authority outside the limits of the jurisdiction of the court or judge by whom it is issued; and an attempt to enforce it beyond these boundaries is nothing less than lawless violence.'"

The language above cited is that of Chief Justice Taney in the decision of the Supreme Court of the United States, in the case of Alderman *vs.* Booth. (21 Howard's Reports.)

If a writ of habeas corpus shall have been sued out from a State court, and served upon the provost-marshal while he holds the deserter under arrest, and before he has had time or opportunity to "send him to the nearest military commander or military post," it is the duty of the marshal to make to the court a respectful statement, in writing, as a return upon the writ, setting forth:

First. That the respondent is provost-marshal, duly appointed by the President of the United States, in accordance with the provisions of the act aforesaid.

Second. That the person held was arrested by said marshal as a deserter, in accordance with the provision of the seventh section of the act aforesaid. That it is the legal duty of the respondent to deliver over said deserter "to the nearest military commander or military post," and that the respondent intends to perform such duty as soon as possible.

Third. That the production of said deserter in court would be inconsistent with and in violation of the duty of the respondent as provost-marshal, and that the said deserter is now held under authority of the United States. For these reasons, and without intending any disrespect to the honorable judge who issued process, he declines to produce said deserter, or to subject him to the process of the court.

To the foregoing all other material facts may be added.

Such return having been made, the jurisdiction of the State court over that case ceases. If the State court shall proceed with the case and make any formal judgment in it, except that of dismissal, one of two courses may be taken. (1) The case may be carried up, by appeal or otherwise, to the highest court of the State, and removed therefrom by writ of error, to the Supreme Court; or, (2) the judge may be personally dealt with in accordance with law, and with such instructions as may hereafter be issued in such cases.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR.] OFFICE OF THE SIGNAL OFFICER,
Washington, D. C., July 1, 1863.

Chief signal officers of departments or army corps are instructed to proceed at once to enlist and re-enlist men for the Signal Corps, U. S. Army, after passing the required examination, for the period of two or three years or the war.

Enlisted men now upon duty in the corps may be transferred for the balance of their unexpired term of service.

Transfers to the corps of men now serving in it may be made in accordance with General Orders (from the War Department), No. 106.*

By order of the Signal Officer of the Army:

HENRY S. TAFFT,
Captain and Signal Officer.

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*See p. 172.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 1, 1863.

His Excellency JOHN A. ANDREW,
Governor of Massachusetts, Boston, Mass.:

SIR: Orders have this day been sent to the Board of Enrollment in the Third District of Massachusetts to make a draft for that district for 3,072 men of the first class.

It is deemed important not to invite public discussion as to operations under the enrollment act, but it is proper that I should advise you of such steps taken under it as may bear upon your State. The records from which calculations were made, as well as the calculations themselves in determining the quota, are on file in this office. They are impartial and claimed to be entirely correct; but if an error should be discovered or pointed out in them it will be duly corrected in the next subsequent draft. I beg that you will do all in your power to enable the officers acting under me to complete the draft promptly, effectually, fairly, and successfully.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

(Official copy furnished Governor Andrew, July 6, including First, Fourth, Fifth, Sixth and Seventh Districts, for a draft of 1,954, 2,798, 1,851, 1,806, and 1,775 men, respectively. Similar letter sent to Governor Coburn, Maine, ordering draft for 1,762 men from Second District; July 7 and 10, for 2,458 and 2,422 men from First and Third Districts, respectively, and July 21, Fifth District, 2,587 men; also, July 30, to Governor Cannon, Delaware, for 1,636 men; also to Governor Coburn, July 30, for 2,190 men from Fifth District, and July 31, 1,955 men from Fourth District. Similar letters sent to the following-named Governors of States, making the alterations in regard to districts and number of men as stated, &c.: Governor Seymour, New York, Thirtieth District, 2,539 men; Governor Seymour, July 6, including the Eighth, Fifteenth, Sixteenth, and Twenty-sixth Districts, for a draft of 5,043, 2,620, 1,593, and 2,252 men, respectively; Governor Curtin, Pennsylvania, Third District, 2,678 men; Governor Smith, Rhode Island, First and Second Districts, respectively, 1,980 and 900 men; Governor Buckingham, Connecticut, First and Third Districts, respectively, 2,162, and 1,592 men; Governor Holbrook, Vermont, First District, 1,505 men.)

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 1, 1863.

Brig. Gen. T. G. PITCHER, U. S. Volunteers,
Actg. Asst. Prov. Mar. Gen. for Vermont, Montpelier, Vt.:

SIR: I inclose herewith letter to the Board of Enrollment of First District of Vermont directing that a draft be made in that district for 1,505 men. Please forward it at once.

You will by yourself and by your inspectors give personal supervision to the draft in the different districts under your charge. You will see that the Board make the draft immediately upon being ordered to do so, and that the drafted men are notified with the least possible delay to appear at district headquarters.

Enrolling officers will perhaps from their experience be the most suitable persons to serve these notices; if so, you will have them deputized for this purpose.

You will see that drafted men arriving at district headquarters are immediately directed where to report; that they are properly cared for; that they are promptly and fairly examined by the Board; that immediately thereafter if not exempted their names be entered on descriptive rolls of drafted men; that they be at once placed in uniform and furnished with the articles prescribed in paragraph 4, Circular No. 11, from this office, and that as soon as this is done they be sent forward to the general rendezvous in squads of convenient size. You will see that clothing, knapsacks, haversacks, canteens, blankets, knives, forks, spoons, tin cups, and tin plates are provided and on hand at the headquarters of each district in advance of the draft.

If any drafted men after having been notified to appear at a designated time and place, fail to do so, you will see that they are at once arrested and brought to the district headquarters as deserters. If any surgeons report to you to aid in examination of drafted men, you will see that they proceed from district to district whenever and wherever their services may be most required. By their assistance the examination of two men can be carried on at the same time before the Board of Enrollment.

You will see that the regulations in regard to these and all other points touching the draft are observed, and you will take pains by every means in your power to anticipate and provide for all wants and emergencies of this special service. Please acknowledge the receipt of this letter.

I am, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

(Similar letters sent, July 7, to Captain Bailey, Maine, ordering draft for 1,762 men from Second District; July 6, to Colonel Nugent, New York, ordering draft for 2,521 men from Ninth District; Major Perkins, Connecticut, First and Third Districts, respectively, 2,162 men, 1,592 men; Major Clarke, Massachusetts, Third District, 3,072 men; Captain Silvey, Rhode Island, First and Second Districts, respectively, 1,980 men, 900 men; Lieutenant-Colonel Bomford, Pennsylvania, Third District, 2,678 men; Major Diven, Western Division of New York, Thirtieth District, 2,639 men; Major Townsend, Northern Division of New York, Sixteenth District, 1,593 men.)

CIRCULAR No. 37. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., July 2, 1863.*

All men who have been enrolled under the provisions of the act of Congress approved March 3, 1863, known as the enrollment act, and who may voluntarily enlist in the service of the United States for three years or the war will, in determining and assigning quotas of troops to be drafted from the respective States and districts, be credited only to the districts in which they have been enrolled under the act referred to.

In future blank muster-in rolls will contain an additional column, to show where each man whose name appears on the roll was enrolled under the enrollment act.

It is made the special duty of every officer recruiting volunteers to see that the required information is given in this column on the rolls of men presented by him for muster.

Mustering officers are hereby directed to see that this requirement is complied with, as far as possible, before troops are mustered in.

Each mustering officer will, immediately after having completed the muster into service of any regiment or detachment of volunteers, make a report to the Provost-Marshal-General of the respective places at which the men were enrolled under the enrollment act, in accompanying form, marked A.

JAMES B. FRY,
Provost-Marshal-General.

A.

Report of muster into service of the One Hundred and ninety-ninth Regiment of New York Volunteers.

	Total strength.	Enrolled under enrollment act.			
		No.	Town or ward.	County.	State.
199th Regiment New York Volunteers, mustered into service Aug. 1, 1863, at Staten Island, N. Y., by Capt. John Smith, 10th Infantry, U. S. A., mustering officer.	950	95	Eighteenth Ward, New York City.	New York	New York.
		100	Fifth Ward, Brooklyn	Kings	Do.
		200	Jamaica	Queens	Do.
		100	Hoboken	Hudson	New Jersey.
		220	First Ward, New York City.	New York	New York.
		50	Flatbush	Kings	Do.
		185	Yonkers	Westchester	Do.
Total	950	950			

JOHN SMITH,
Captain, Tenth Infantry, U. S. A., Mustering Officer.

STATE OF INDIANA,
OFFICE ASSISTANT PROVOST-MARSHAL-GENERAL,
Indianapolis, July 2, 1863.

Col. JAMES B. FRY,
Provost-Marshal General:

SIR: Your communication of the 28th ultimo, in which you so kindly expressed your approval of the manner in which the affairs of your Bureau have been managed in this State, was duly received. I highly appreciate the favorable opinion expressed of my official action and shall endeavor not to forfeit it in the future.

The newspaper reports as to the condition of affairs in Monroe County were exaggerations of the truth. Colonel Biddle, who was in command of the troops sent there, did request that one section of a battery might be sent to him, and it was done, out of abundant caution and to be prepared for any contingency that might arise. He was instructed to adopt the very policy indicated in your letter, namely, that if compelled to strike at all, to do it with such vigor and determination as to prevent the necessity of a repetition of the blow.

The enrollment lists that had been taken from the enrolling officer were recaptured, the principal offenders arrested, and the enrollment of the disaffected district completed without a conflict.

I am satisfied that the policy pursued has already inaugurated a division in the ranks of the malcontents, whereas a conflict would have had a tendency more firmly to unite them. The men who were put forward in obstructing the enrollment are, I am satisfied, the dupes of worse men, but better lawyers, who do not appear to have any agency in the matter.

Some of the parties arrested will, I am convinced, divulge the entire plot so far as they know it, and I think valuable information will be elicited.

We have a class of men in this State who practice law and politics, and who seem to endeavor to be always near or upon the penitentiary line without crossing it. This is a dangerous experiment, and I hope some of them will be caught across the line.

I have the honor to be, colonel, very respectfully, your obedient servant,

CONRAD BAKER,
Colonel and Actg. Asst. Prov. Mar. Gen. for Indiana.

WAR DEPARTMENT,
Washington City, July 2, 1863.

THOMAS WEBSTER, Esq.,
Philadelphia:

Your dispatch,* received this morning, in respect to the call of an additional force, has been submitted to the President, who has it under consideration. His determination will be immediately communicated to you.

EDWIN M. STANTON,
Secretary of War.

CIRCULAR.] WAR DEPT., ADJUTANT-GENERAL'S OFFICE,
Washington, July 3, 1863.

The following are announced as rendezvous for drafted men for the States named:

Maine, Portland; New Hampshire, Concord; Vermont, Brattleborough; Massachusetts, Springfield; Rhode Island, Connecticut, New Haven, Conn.; New York, Buffalo, Elmira, Riker's Island, New York City; Pennsylvania, Philadelphia, Carlisle, Pittsburg; New Jersey, Trenton; Maryland, Annapolis Junction; Ohio, Camp Chase (Columbus), Camp Dennison (Cincinnati).

For the purpose of receiving and conducting to their several regiments the men of the draft assigned to fill them up, commanding generals of departments and armies will immediately detail from each of the three-years' regiments of their commands belonging to the States above enumerated three commissioned officers and six enlisted men, and direct them to report without delay to the commanding officer of the rendezvous for their State. In States which have more than one rendezvous the detachments for the respective regiments will be instructed to report to the commanding officer of the rendezvous nearest to which the regiment was recruited and organized.

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*See Series I, Vol. XXVII, Part III, p. 481.

The officers and enlisted men selected under this order must be judicious and reliable. To these requirements commanding officers of divisions and brigades will give their personal attention.

The commandants of rendezvous will be informed of the number of drafted men to be sent to each regiment. They will lose no time in preparing the detachments and placing them en route for their regiments as soon as the requisite numbers can be made up.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR No. 38.

WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, D. C., July 3, 1863.

Paragraph II of Circular No. 34, from this office, is so far modified as to require every drafted person claiming exemption, by reason of having paid the sum of $300, under section 13 of the "Act for enrolling and calling out the national forces, and for other purposes," approved March 3, 1863, to present duplicate receipts from the receiver of commutation money, for such amount, to the Board of Enrollment of his district, in order to receive therefrom a certificate of exemption. The Board shall, thereupon, grant a certificate of exemption from further liability under that draft, according to the form prescribed in the Regulations for the Government of the Bureau of the Provost-Marshal-General of the United States. No board of enrollment shall give such certificate of exemption upon the presentation of one copy only of the receipt from the receiver of commutation money; they shall in all cases require the receipt to be in duplicate. When the certificate shall have been given the Board shall return one copy of the receipt to the drafted man, and shall retain the other to be forwarded to the Provost-Marshal-General with the weekly abstract of persons exempted from military service.

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 3, 1863.

Maj. FRANCIS N. CLARKE,
Actg. Asst. Prov. Mar. Gen. for Massachusetts, Boston, Mass.:

MAJOR: I inclose herewith letters to the Boards of Enrollment of the Fifth and Seventh Districts of Massachusetts, directing that a draft be made for 1,851 men and 1,775 men, respectively. Please forward them at once. Your attention is called to the instructions transmitted to you yesterday from this office, which you will observe in these cases.

I am, major, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

(Copy of above letter sent, with alterations, as follows: Lieutenant-Colonel Bomford, Pennsylvania, Seventh District, 1,892 men.)

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 3, 1863.

His Excellency JOHN A. ANDREW,
Governor of Massachusetts, Boston, Mass.:

SIR: I have the honor to inform you that orders have this day been sent to the Boards of Enrollment in the First, Fifth, and Seventh Districts of Massachusetts to make a draft on those districts for 1,954, 1,851, and 1,775 men, respectively, of the first class.

I would respectfully invite your attention to the communication of yesterday from this Bureau, and request that the suggestions therein contained be carried out in these cases.

I am, sir, very respectfully, your obedient servant,
JAS. B. FRY,
Provost-Marshal-General.

(Copies of above letter sent, with alterations, as follows: Governor Buckingham, Connecticut, Second District, 1,939 men; Governor Seymour, New York, Fifteenth, Twenty-sixth, and Twenty-eighth Districts, respectively, 2,252, 2,165, and 2,260 men; Governor Holbrook, Vermont, Second and Third Districts, respectively, 1,763 and 1,447 men; Governor Curtin, Pennsylvania, Fourth, Seventh, and Twenty-seventh Districts, respectively, 2,744, 2,712, and 1,892 men. Similar letter to Governor Seymour, New York, ordering draft, July 9, Fifth District, 3,390; July 10, Twenty-second District, 2,068 men; also to Governor Curtin and Lieutenant-Colonel Bomford, Pennsylvania, ordering draft, August 6, Sixteenth and Seventeenth Districts, respectively, 2,267 and 1,985 men; August 7, Fifteenth District, 2,307 men.)

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 3, 1863.

Brig. Gen. T. G. PITCHER,
Actg. Asst. Prov. Mar. Gen. for Vermont, Montpelier, Vt.:

GENERAL: In the present crisis it is not probable that sufficient military force can be furnished you to suppress successfully at one and the same time a resistance to the draft in your State should such occur simultaneously in any great number of the districts under your charge. In such case you must collect what force you can in one designated disaffected district, and by such assistance complete the draft in that one without endeavoring at this time to enforce it in any other one similarly affected. The draft in any other districts not disaffected can be continued in the meanwhile.

When this shall have been done for one disaffected district you will remove your force to some other one and successfully complete the draft therein, and in this manner you will proceed until the quotas required from all the districts under your charge shall have been fully furnished by them.

I am, sir, very respectfully, your obedient servant,
JAS. B. FRY,
Provost-Marshal-General.

(Similar letter sent, July 7, to Captain Bailey, Maine, also one to Colonel Baker, Indiana, August 18. Copies of above letter sent to Major Mack, New Hampshire; Major Perkins, Connecticut; Major Clarke, Massachusetts; Captain Silvey, Rhode Island; Major Townsend, Northern Division of New York; Colonel Nugent, Southern Division of New York; Major Diven, Western Division of New York; Lieutenant-Colonel Bomford, Pennsylvania.)

JULY 3, 1863.

A. G. Curtin, Governor of State of Pennsylvania, has called for 60,000 militia, to be mustered into the State service for three months. Wishes to be informed what relation these men when enlisted and mustered will bear to the draft.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 5, 1863.

Respectfully submitted to the Secretary of War.

I have given much thought to this and the kindred subject of men mustered into the U. S. service for short periods in their relations to the draft. My opinion is that all men lately called out, for a period of six months or less, and mustered into the U. S. service, or the State service alone, are subject to a draft under the enrollment act. This view has been approved by the Secretary and promulgated. If any men now in the U. S. service should be drafted they must receive credit for the time they may have served or may yet serve under their present engagements. I further judge, from present lights on the subject, that those who may be so drafted should be duly enrolled and notified of the fact through their present commanding officers, but had better be permitted or directed to continue, until further orders, on duty with the organizations to which they now belong, and when their present terms expire they should be assigned to three-years' regiments, unless they at that time secure exemption under the enrollment act. I think those men called out by a Governor for the defense of a State, and not mustered into U. S. service, and who may be drafted, should be duly notified and required to report to the provost-marshal of the district, to be enrolled into the U. S. service for three years, the same as if they were not in the military service of the State. The decision of this question will affect several other States besides Pennsylvania.

I am, very respectfully, your obedient servant,

J. B. FRY,
Provost-Marshal-General.

[Indorsement.]

Approved by the Secretary of War July 6, 1863.

SPECIAL ORDERS, No. 296. } WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, July 4, 1863.

* * * * * * *

2. The following assignment of officers is hereby made:

Brig. Gen. E. W. Hinks, U. S. Volunteers, to command the depot for drafted men at Concord, N. H.

* * * * * * *

Brig. Gen. Charles Devens, U. S. Volunteers, to command the depot for drafted men at Springfield, Mass.

* * * * * * *

Brig. Gen. L. C. Hunt, U. S. Volunteers, to command the depot for drafted men at New Haven, Conn.

* * * * * * *

Brig. Gen. Andrew Porter, U. S. Volunteers, to command the depot for drafted men at Philadelphia, Pa.

* * * * * * *

Brig. Gen. Thomas L. Kane, U. S. Volunteers, to command the depot for drafted men at Pittsburg, Pa.

* * * * * * *

Brig. Gen. E. L. Viele, U. S. Volunteers, to command the depot for drafted men at Annapolis Junction, Md.

* * * * * * *

Brig. Gen. Mason Brayman, U. S. Volunteers, to command the depot for drafted men at Camp Chase, Columbus, Ohio.

* * * * * * *

Brig. Gen. John S. Mason, U. S. Volunteers, in addition to his present duties, to command the depot for drafted men at Camp Dennison, Cincinnati, Ohio.

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By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

HEADQUARTERS DISTRICT OF COLUMBIA MILITIA,
In the Field, Washington, July 5, 1863—10 a. m.

Col. J. B. FRY, U. S. Army,
Provost-Marshal-General:

COLONEL: The exemptions from the order calling out the militia cover one entire regiment (Colonel Bright's Second) of militia and two companies of volunteers, at the navy-yard; nearly the whole of Colonel Tait's (First) regiment, employed in and around the Capitol; the same of Colonel Smith's (Third) regiment, employés at the arsenal, &c.; the same of Colonel Davis' (Fourth) regiment, Colonel Middleton's (Fifth) regiment, Colonel Phillip's (Sixth) regiment, and Colonel Easby's (Seventh) regiment, and the Eighth is not yet perfectly organized.

The railroad men, the printers, the druggists, the city and general post-office, and 9,000 men in the Quartermaster's Department are all exempted by order, and in one of the military bureaus at least, as I am informed, a captain of one of the regiments has been threatened with dismissal if he obeys the order. In view of these facts it will be at once seen that an order should be issued postponing action on that calling out the troops until some compulsory measure be adopted which will enable me to enforce the order to bring every man out, and thus not to bring a seeming discredit upon the order of the President.

I would also ask for the appointment of a judge-advocate and assistant to receive and act upon those cases claiming exemption under the law. I would urge the necessity of publishing an order so that I may issue one in conformity thereto and have the same published in the morning papers.

The people have shown every willingness to obey this call; the officers have been prompt and efficient in enrolling and notifying, but exemption has nullified every effort.

I am, colonel, very respectfully,

GEO. C. THOMAS,
Major-General, Commanding.

P. S.—Since writing the above I have received the accompanying communication from the several colonels of regiments of the District militia pertinent to the difficulties of raising the force under the exemption orders.

Very respectfully, &c.,

GEO. C. THOMAS,
Major-General, Commanding.

[Indorsement.]

JULY 5, 1863.

Respectfully submitted to the Secretary of War.

The long neglect of the militia laws in this District and the large number of exemptions it has been found necessary or expedient to grant in connection with the late call for eight regiments render it exceedingly difficult at this time to get that call filled. In consideration of this, and the fact that late military operations in Pennsylvania have rendered the necessity for more troops in this city less imperative than it might otherwise have been, I recommend that action on my letter to Major-General Thomas calling out eight regiments of District militia be suspended until further orders.

JAMES B. FRY,
Provost-Marshal-General.

In addition to the above nearly all the Government employés, many thousands, are organized in their respective departments under their own officers.

J. B. FRY,
Provost-Marshal-General.

[Inclosure.]

Maj. Gen. GEORGE C. THOMAS,
Commanding Militia, District of Columbia:

GENERAL: The colonels of the several regiments of the militia of the District of Columbia would respectfully represent that, owing to serious difficulties which they have been unable to overcome, it will be impossible for them to carry out the order directing them to have the eight regiments comprising their respective commands mustered into service of the United States.

The number of persons exempted by special orders, which override the law under which the militia is enrolled and called into service, has so thinned the regiments that but a small proportion of the regular militia can be obtained for actual duty.

Under these circumstances they would respectfully request that the order of June 30, signed by Colonel Fry, be rescinded.

Very respectfully, your obedient servants,

JAMES A. TAIT,
Colonel First Regiment Militia, District of Columbia.
JAMES Y. DAVIS,
Colonel Second Regiment Militia, District of Columbia.
JOHN L. SMITH,
Colonel Fourth Regiment Militia, District of Columbia.
WILLIAM H. PHILLIP,
Colonel Fifth Regiment Militia, District of Columbia.
L. J. MIDDLETON,
Colonel Sixth Regiment Militia, District of Columbia.
H. N. EASBY,
Colonel Seventh Regiment Militia, District of Columbia.

WAR DEPARTMENT,
Washington City, July 6, 1863.

Major-General SCHENCK,
Baltimore:

The chief of Bureau for Organizing Colored Troops will issue an order for organizing a regiment in your department, and Colonel

Birney has been directed to report to you immediately for that duty. The chief of the Bureau will furnish instructions.

EDWIN M. STANTON,
Secretary of War.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 6, 1863.

His Excellency HORATIO SEYMOUR,
Governor of New York, Albany, N. Y.:

SIR: I have the honor to inform you that orders have this day been sent to the Boards of Enrollment in the Eighth, Ninth, Fifteenth, Sixteenth, Twenty-fifth, Twenty-sixth, and Twenty-ninth Districts of New York to make a draft on these districts for 5,043, 2,521, 2,520, 1,493, 2,087, 2,152, and 1,867 men, respectively, of the first class. I would respectfully invite your attention to the communication sent you from this Bureau on the 1st instant, and request that the suggestions therein contained be carried out in these cases.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

CIRCULAR No. 40. WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, D. C., July 7, 1863.

The President of the United States has divided the State of Kansas into two enrollment districts, as follows: All that part of the State north of the Kansas River to constitute and to be known as the Northern District, headquarters Leavenworth City; and all that part south of the said river to constitute and to be known as the Southern District, headquarters Lawrence.

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington City, D. C., July 7, 1863.

Maj. T. M. VINCENT,
Asst. Adjt. Gen., Adjt. Gen.'s Office, Washington, D. C.:

MAJOR: I have the honor to inform you that a draft has been ordered in the following States and districts upon the dates respectively mentioned below:

Date.	State.	District.	Number of men.
July 3	New Hampshire	First	1,968
3	Massachusetts	Tenth	2,263
6	Connecticut	Second	1,939
3	New York	Twenty-first	2,087
6	....do	Twenty-eighth	2,165
3	....do	Twenty-ninth	1,867
6	Pennsylvania	Seventh	1,892
3	....do	Ninth	2,082
3	....do	Twenty-first	1,915

I am, sir, very respectfully, your obedient servant,

GEO. D. RUGGLES,
Assistant Adjutant-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 7, 1863.

Maj. T. M. VINCENT,
Asst. Adjt. Gen., Adjt. Gen.'s Office, Washington, D. C.:

MAJOR: I have the honor to inform you that a draft has this day been ordered in the following States and districts:

Date.	State.	District.	Number of men.
July 7	Maine	Second	1,762
7	Massachusetts	do	1,910
7	New York	Third	2,697
7	do	Fourth	5,881
7	do	Sixth	4,538
7	do	Eighth	4,892
7	do	Seventeenth	1,838
7	do	Twenty-seventh	2,419
7	do	Twenty-eighth	2,015
7	do	Twenty-ninth	1,767
7	do	Thirtieth	2,539

I am, sir, very respectfully, your obedient servant,
GEO. D. RUGGLES,
Assistant Adjutant-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 7, 1863.

Capt. HENRY A. SCHEETZ,
Provost-Marshal for Dist. of Columbia, Washington, D. C.:

CAPTAIN: Some of the diplomatic agents of foreign powers accredited to the United States have informed the State Department that their domestics have been placed by the enrolling officers on the lists of persons liable to military service. The Honorable Secretary of State, in a letter of the 6th instant to the Honorable Secretary of War, represents that such a proceeding is contrary to public law in the country due to the representatives of States in amity with the United States, to the spirit and perhaps to the letter of the act of Congress approved 30th of April, 1790, entitled "An act for the punishment of certain enemies against the United States," and asks that such orders may be given as will lead to a discontinuance of the complaint referred to. You will therefore at once instruct your enrolling officers not to enroll any of the domestics of foreign agents accredited to the United States and to remove from the enrollment lists the names of all such persons as may have been enrolled by them. You will see that such order is promptly and faithfully executed.

I am, captain, very respectfully, your obedient servant,
JAS. B. FRY,
Provost-Marshal-General.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Brattleborough, Vt., July 7, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: I have the honor to report my arrival at this place last evening, the 6th instant, and found your communication of the 3d

instant. I anticipate no serious resistance to the draft in any part of the State, except Rutland and vicinity, amongst the Irish laborers in the marble quarries. To meet them I propose organizing all the force that can be raised at this place, which I hope will be sufficient to carry out the laws.

Captain Crane, First District, will be ready to commence the draft to-morrow, and I think the others will be ready as they are called upon.

I am, sir, very respectfully, your obedient servant,

T. G. PITCHER,

Brig. Gen., U. S. Volunteers, Actg. Asst. Prov. Mar. Gen.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 8, 1863.

Maj. T. M. VINCENT,
Assistant Adjutant-General, Adjutant-General's Office:

MAJOR: I have the honor to inform you that a draft has this day been ordered in the following States and districts:

Date.	State.	District.	Number of men.
July 8	Connecticut	Fourth	2,021
8	New York	Seventh	3,452
8	.....do	Twenty-fifth	1,936

I am, sir, very respectfully, your obedient servant,

GEO. D. RUGGLES,
Assistant Adjutant-General.

METROPOLITAN HOTEL,
New York, July 8, 1863.

Hon. E. M. STANTON:

Notice has been given me that it is designed to march the Fifty-fifth Massachusetts Regiment, colored troops, through our streets on Monday next. The recent victories have more than ever excited a portion of our city population against the negroes. Every day my men are engaged in protecting negroes from unjustifiable attacks, and the bad feeling is on the increase, mainly on the part of the returned two-years' soldiers, whose antipathies are stronger than before they went to the Potomac.

Save us from riot and possible bloodshed by letting these Massachusetts troops be transported from a sea-port nearer their encampment than this is. In the absence of all the militia force now on active duty at the seat of war, there is nothing but the police here to secure peace and good order.

JOHN A. KENNEDY,
Superintendent.

WAR DEPARTMENT,
Washington, D. C., July 8, 1863.

Governor ANDREW,
Boston:

Events on the Mississippi may render a change of destination for your colored regiments very desirable. You will therefore retain

them in Boston until further orders. Two or three days will probably determine the question as to where they can be most useful. Please acknowledge the receipt of this, and inform me immediately when they can be ready to embark for New Orleans.

EDWIN M. STANTON,
Secretary of War.

GENERAL ORDERS, No. 211. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, July 9, 1863.*

ORDER ABOLISHING THE MILITARY GOVERNORSHIP OF ARKANSAS.

Ordered, That the appointment of John S. Phelps as Military Governor of the State of Arkansas and of Amos F. Eno as secretary be revoked, and the office of military governor in said State is abolished, and that all authority, appointments, and power heretofore granted to and exercised by them, or either of them, as Military Governor or secretary, or by any person or persons appointed by or acting under them, is hereby revoked and annulled.

By order of the President:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 212. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, July 9, 1863.*

I. The Invalid Corps will be organized in companies of two classes or battalions.

II. Those men enlisted in, or transferred to, the Invalid Corps who are most efficient and able-bodied, capable of using the musket, performing guard duty, making light marches, &c., will be assigned to companies of the First Battalion. Those of a minor degree of physical efficiency, or who possess special qualifications as cooks, nurses, or clerks, and whose services are required in hospitals, will be assigned to companies of the Second Battalion.

III. Companies of the First Battalion will be employed mainly as provost guards and guards in cities, &c. They will be armed with muskets, and will not be liable to active campaigns with the field armies.

IV. Companies of the Second Battalion will be armed with side-arms only, and will be employed in hospitals as cooks, nurses, clerks, orderlies, &c., and as guards to hospitals or other public buildings.

V. The rolls of men for the Invalid Corps required by General Orders, Nos. 105 and 173, current series, from this Department, will state in each case the nature of the disability and the battalion for which the man is qualified.

VI. In all general hospitals and convalescent camps these rolls will be prepared and sent direct to the Provost-Marshal-General immediately after each regular muster. Convalescents will be required to perform such hospital or military duty as they are capable of until such time as the medical officer in charge can decide, finally, whether they are fit for duty with their regiments, for transfer to the First or Second Battalion of the Invalid Corps, or proper subjects for discharge on surgeon's certificate.

VII. The physical examination of men for the Invalid Corps must be made by the surgeon in charge before they are reported to the Provost-Marshal-General.

VIII. Officers of the Invalid Corps on duty in hospitals will be subordinate to the surgeon in charge, and shall aid him in the performance of his administrative and executive duties, under the following and such other regulations as may hereafter be established:

1. The senior officer of the Invalid Corps on duty in a hospital shall have, under the direction of the surgeon in charge, the immediate supervision of all matters connected with the police and discipline of the hospital.

2. He will have the clothing, arms, equipments, and descriptive rolls of patients carefully preserved, and will note on the descriptive rolls all payments made or clothing issued while in hospital.

3. When a soldier is received into the hospital without his descriptive list he will immediately report the fact to the soldier's company commander, who is hereby required to furnish without delay the descriptive roll and accounts of pay and clothing.

4. He will supervise the preparation of muster and pay rolls, descriptive rolls, and clothing accounts; of final statements of pay and clothing, and of the inventories and reports required by general regulations concerning soldiers who die absent from their companies.

5. He will keep a record of deaths and interments, and will see that the dead are properly buried, and that each grave is designated by a registered headboard. In the absence of a chaplain he will keep the chaplain's register.

6. He will conduct all correspondence in relation to the descriptive rolls, clothing, arms, equipments, and personal effects of soldiers.

7. He should reside within the hospital precincts, and shall visit every part of it daily.

IX. In executing the provisions of General Orders, No. 105, from this Department, in regard to the selection of men for the Invalid Corps, medical inspectors, surgeons in charge of hospitals, camps, regiments, or of boards of enrollment, military commanders, and all others required to make the physical examination of men for the Invalid Corps, will be governed in their decisions by the following lists of qualifications and disqualifications for admission into this corps:

Physical infirmities that incapacitate enlisted men for field service, but do not disqualify them for service in the Invalid Corps.

1. Epilepsy, if the seizures do not occur more frequently than once a month, and have not impaired the mental faculties.

2. Paralysis, if confined to one upper extremity.

3. Hypertrophy of the heart, unaccompanied with valvular lesion. Confirmed nervous debility or excitability of the heart, with palpitation, great frequency of the pulse, and loss of strength.

4. Impeded respiration following injuries of the chest, pneumonia, or pleurisy. Incipient consumption.

5. Chronic dyspepsia or chronic diarrhea, which has long resisted treatment. Simple enlargement of the liver or spleen, with tender or tumid abdomen.

6. Chronic disorders of the kidneys or bladder, without manifest organic disease, and which have not yielded to treatment. Incontinence of urine; mere frequency of micturition does not exempt.

7. Decided feebleness of constitution, whether natural or acquired. Soldiers over fifty and under eighteen years of age are proper subjects for the Invalid Corps.

8. Chronic rheumatism, if manifested by positive change of structure, wasting or contraction of the muscles of the affected limb, or puffiness or distortion of the joints.

9. Pain, if accompanied with manifest derangement of the general health, wasting of a limb, or other positive sign of disease.

10. Loss of sight of right eye; partial loss of sight of both eyes, or permanent diseases of either eye affecting the integrity or use of the other eye, vision being impaired to such a degree as clearly to incapacitate for field service. Loss of sight of left eye, or incurable diseases or imperfections of that eye not affecting the use of the right eye, nor requiring medical treatment, do not disqualify for field service.

11. Myopia, if very decided or depending upon structural change of the eye. Hemeralopia, if confirmed.

12. Purulent otorrhœa; partial deafness, if in degree sufficient to prevent hearing words of command as usually given.

13. Stammering, unless excessive and confirmed.

14. Chronic aphonia, which has long resisted treatment, the voice remaining too feeble to give an order or an alarm, but yet sufficiently distinct for intelligible conversation.

15. Incurable deformities of either jaw sufficient to impede but not to prevent mastication or deglutition. Loss of a sufficient number of teeth to prevent proper mastication of food.

16. Torticollis, if of long standing and well marked.

17. Hernia; abdomen grossly protuberant; excessive obesity.

18. Internal hemorrhoids. Fistula in ano, if extensive or complicated, with visceral disease. Prolapsus ani.

19. Stricture of the urethra.

20. Loss or complete atrophy of both testicles from any cause; permanent retraction of one or both testicles within the inguinal canal.

21. Varicocele and cirsocele, if excessive or painful; simple sarcocele, if not excessive nor painful.

22. Loss of an arm, forearm, hand, thigh, leg, or foot.

23. Wounds or injuries of the head, neck, chest, abdomen, or back that have impaired the health, strength, or efficiency of the soldier.

24. Wounds, fractures, injuries, tumors, atrophy of a limb, or chronic diseases of the joints or bones that would impede marching or prevent continuous muscular exertion.

25. Anchylosis of the shoulder, elbow, wrist, knee, or ankle joint.

26. Irreducible dislocation of the shoulder, elbow, wrist, or ankle joint in which the bones have accommodated themselves to their new relations.

27. Muscular or cutaneous contractions from wounds or burns in a degree sufficient to prevent useful motion of a limb.

28. Total loss of a thumb, loss of ungual phalanx of right thumb; permanent contraction or extension of either thumb.

29. Total loss of any two fingers of the same hand.

30. Total loss of index finger of right hand; loss of second and third phalanges of index finger of right hand, if the stump is tender or the motion of the first phalanx is impaired. Loss of the third phalanx does not incapacitate for field service.

31. Loss of the second and third phalanges of all the fingers of either hand.

32. Permanent extension or permanent contraction of any finger, except the little finger; all the fingers adherent or united.

33. Total loss of either great toe; loss of any three toes on the same foot; all the toes joined together.

34. Deformities of the toes, if sufficient to prevent marching.

35. Large, flat, ill-shaped feet that do not come within the designation of talipes valgus, but are sufficiently malformed to prevent marching.

36. Varicose veins of inferior extremities, if large and numerous, having clusters of knots, and accompanied with chronic swellings.

37. Extensive, deep, and adherent cicatrices of lower extremities.

X. Soldiers having nervous debility or excitability of the heart, impeded respiration from curable causes, chronic dyspepsia, chronic diarrhea, chronic disorders of the kidneys or bladder, incontinence of urine, aphonia, hemeralopia, or other disease or infirmity not incurable, are not to be recommended for the Invalid Corps until they have been under medical treatment or observation a sufficient length of time to make it extremely probable, if not certain, that they will not be fit for active field service during any considerable portion of their period of enlistment.

XI. Soldiers who have lost an arm, forearm, hand, thigh, leg, or foot may be discharged from the Army on surgeon's certificate, if they so elect.

XII. None of the foregoing disabilities disqualify officers for service in the Invalid Corps, but some of them may be so aggravated or complicated as to unfit for any service. All such cases should be discharged.

XIII. In all cases where the physical infirmities of officers or enlisted men come within the provisions of the above list they will be recommended for transfer to or enlistment in the Invalid Corps; but no one will be admitted into this corps whose previous record does not show that he is meritorious and deserving, and that he has complied with the provisions of General Orders, No. 105, War Department, Adjutant-General's Office, 1863, authorizing an Invalid Corps.

Physical infirmities that disqualify enlisted men for service in the Invalid Corps.

1. Manifest imbecility or insanity.

2. Epilepsy, if the seizures occur more frequently than once a month, and have obviously impaired the mental faculties.

3. Paralysis or chorea.

4. Organic diseases of the brain or spinal cord; of the heart or lungs; of the stomach or intestines; of the liver or spleen; of the kidneys or bladder, so extensive and long continued as to have seriously impaired the general health, or so well marked as to leave no reasonable doubt of the man's incapacity for service in the Invalid Corps.

5. Confirmed consumption, cancer, aneurism of important arteries.

6. Inveterate and extensive disease of the skin.

7. Scrofula or constitutional syphilis, which has resisted treatment and seriously impaired the general health.

8. Habitual or confirmed intemperance, or solitary vice, sufficient in degree to have materially enfeebled the constitution.

9. Great injuries or diseases of the skull, occasioning impairment of the intellectual faculties, epilepsy, or other serious nervous or spasmodic symptoms.

10. Total loss of sight, partial loss of sight of both eyes, and permanent diseases of either eye affecting the integrity and use of the other eye, vision being so greatly impaired as to leave no reasonable doubt of the man's incapacity for service in the Invalid Corps.

11. Loss of nose, or deformity of nose, if sufficient seriously to obstruct respiration; ozena, if dependent upon caries.

12. Deafness.

13. Dumbness, permanent loss of voice.

14. Total loss of tongue, partial loss, and hypertrophy or atrophy of tongue, if sufficient to make the speech unintelligible and prevent mastication or deglutition.

15. Incurable deformities of either jaw, whether congenital or produced by accident, which would prevent mastication or greatly injure the speech.

16. Tumors of the neck, impeding respiration or deglutition; fistula of larynx or trachea.

17. Deformity of the chest sufficient to impede respiration or to prevent the carrying of arms and military equipments; caries of the ribs.

18. Artificial anus; severe stricture of the rectum.

19. Total loss, or nearly total loss, of penis; epispadia or hypospadia at the middle or nearer the root of the penis; stone in the bladder.

20. Incurable permanent organic stricture of the urethra, in which the urine is passed drop by drop, or which is complicated by disease of the bladder; urinary fistula.

21. Confirmed or malignant sarcocele; hydrocele, if complicated with organic disease of the testes.

22. Excessive anterior or posterior curvature of the spine; caries of the spine; lumbar abscess.

23. Anchylosis of the hip joint.

24. Irreducible dislocation of hip or knee joint.

25. Large chronic ulcers of lower extremities.

XIV. In all cases where the physical infirmities of an officer or enlisted man come within the provisions of this list, or where his previous record shows that he is not entitled to be received into the Invalid Corps, he will, if in service, be discharged; and if an applicant to re-enter, his application will be disapproved.

XV. All orders or parts of orders inconsistent with the foregoing are revoked.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR No. 41. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., July 9, 1863.*

INSTRUCTIONS RELATIVE TO MAKING THE DRAFT.

I. Provost-marshals will cause the name of each person of the first class enrolled to be written on a card as soon as the enrollment lists are completed. These cards must be uniform in size, shape, and color.

II. The cards are then to be assorted by sub-districts, verified by comparison with the enrollment lists, and placed in an envelope

marked with the number of the sub-district, and the number of cards contained in it, and sealed.

III. After all the sub-districts have been thus prepared all the envelopes will be put into one and sealed up and put away until the day of the draft.

IV. On the day of the draft the Board of Enrollment will open the envelope in presence of any who choose to attend, and take the envelope containing the cards of the first sub-district.

These cards will be counted as they are placed in the box, and must agree with the number on the envelope.

The box should be about one foot wide, one foot deep, and one and a half long, with a lid securely fastened on, and a hole in the lid large enough to admit a man's hand.

V. This being done, the commissioner will announce that the draft for the first sub-district of such district of such State, for so many men, will commence.

VI. The provost-marshal, or some trusty person selected by him, will then be blindfolded, and draw from the box a single card, which he will hand to the commissioner, who will read aloud the name on it. The clerk will immediately enter this name on a list previously prepared, opposite No. 1. Thus the draft will continue until the required number of names are drawn, when the cards remaining in the box will be taken out and counted, so as to verify the whole number originally put in.

VII. Great care must be taken to enter names on the roll exactly in the order in which they are drawn.

VIII. The remaining sub-districts will be proceeded with in like manner.

IX. As soon as practicable, persons drafted will be notified. (Form 39.)

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 42. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., July 9, 1863.*

I. All men who have been mustered into the U. S. service, under the call of the President of the United States dated June 15, 1863, for troops for six-months' service, or who have volunteered for State service alone, are liable to draft under the enrollment act. If any of those who have been mustered into the U. S. service should be drafted, they will receive credit for the time they may have served, or may yet serve, under their present engagement. Those so drafted are to be taken up on the descriptive roll of drafted men and notified through their present commanding officer. They will, until further orders, continue on duty with the organizations to which they may belong at the time of draft, and at the expiration of that service will be assigned to three-years' regiments for the completion of their term of service.

Those called out by Governors of States for State service, and not mustered into U. S. service, will, if drafted, be duly notified through their commanding officers, and required to report to the provost-marshal of the district where they were drafted, to be enrolled in the U. S. service for three years from the date of such enrollment.

II. If provost-marshals employ their enrolling officers, or the most competent of them, to serve the notifications to drafted men, as required by paragraph 19, Regulations for the Government of the

Bureau of the Provost-Marshal of the United States, they may be retained in service and paid until that duty shall be performed.

III. By the term "aged and infirm parents," section 2, enrollment act, is meant those parents who, from old age or infirmity, are disabled from earning the means of supporting themselves, and who, by reason of such age or infirmity, have become dependent for the means of support upon the person claiming exemption from draft. Boards of enrollment will use a careful discrimination in deciding all such cases.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 43. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., July 10, 1863.*

The following extracts from laws of the United States, now in force, are published for the information and guidance of all concerned:

Section 12 of the enrollment act, after directing how the draft shall be conducted, says:

And the person so drawn shall be notified of the same within ten days thereafter, by a written or printed notice, to be served personally, or by leaving a copy at the last place of residence, requiring him to appear at a designated place of rendezvous to report for duty.

Section 13 of the enrollment act contains the following:

And any person failing to report after due service of notice, as herein prescribed, without furnishing a substitute, or paying the required sum therefor, shall be deemed a deserter, and shall be arrested by the provost-marshal, and sent to the nearest military post for trial by court-martial, unless, upon proper showing that he is not liable to do military duty, the Board of Enrollment shall relieve him from the draft.

The twentieth article of war contains the following:

All officers and soldiers * * * convicted of having deserted, shall suffer death, or such other punishment as by sentence of court-martial shall be inflicted.

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 10, 1863.

Maj. T. M. VINCENT,
Asst. Adjt. Gen., Adj. Gen.'s Office, Washington, D. C.:

MAJOR: I have the honor to inform you that a draft has been ordered in the following States and districts upon the dates below, viz:

Date.	State.	District.	Number of men.
July 9..	Maine	First	2,458
9..	....do	Third	2,422
6..	Massachusetts	Eighth	1,948
6..	....do	Ninth	2,043
9..	Connecticut	Third	1,569
6..	New York	First	2,211
9..	....do	Fifth	2,390
6..	....do	Ninth	2,531
9..	Pennsylvania	Fifth	1,989

I am, sir, very respectfully, your obedient servant,

GEO. D. RUGGLES,
Assistant Adjutant-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 10, 1863.

Maj. T. M. VINCENT,
Assistant Adjutant-General, Adjutant-General's Office:

MAJOR: I have the honor to inform you that a draft has this day been ordered in the following States and districts:

Date.	State.	District.	Number of men.
July 10	New York	Twenty-second	2,068
10	Pennsylvania	Third	3,015

I am, sir, very respectfully, your obedient servant,
GEO. D. RUGGLES,
Assistant Adjutant-General.

STATE OF INDIANA,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Indianapolis, July 10, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: In consequence of Morgan's raid into this State and the fears I entertain that there is an understanding between him and the Knights of the Golden Circle, I have instructed the several provost-marshals that in event of the militia being called away from the neighborhood of the headquarters of the district or any or either of them the rolls shall be so secreted as to put it out of the power of domestic enemies to find them. The militia of the State are being called out, and I am apprehensive that domestic traitors may embrace this opportunity to destroy the rolls. This may delay the work a few days, but this is better than to run the risk of having it to do over again. Morgan's raid must of necessity soon terminate, and I trust it will terminate disastrously to him. I have been called upon by the commanding officer of this district to assist in organizing the militia, and have responded to the call, but hope to be able at the same time to keep the business of this office properly attended to.

Respectfully, your obedient servant,
CONRAD BAKER,
Colonel and Actg. Asst. Prov. Mar. Gen. for Indiana.

INDIANAPOLIS, *July 10, 1863.*

SECRETARY OF WAR:

Quartermaster here has telegraphed Quartermaster-General for authority to turn over to State of Indiana uniforms for Indiana Legion, called out to repel invasion, and can get no answer. Please order the issue at once. Troops are being rapidly organized, and many are now ready to move. Answer.

O. P. MORTON,
Governor of Indiana.

WAR DEPARTMENT,
Washington, D. C., July 10, 1863.

Governor MORTON,
Indianapolis:

The Quartermaster-General has been directed to turn over to the State of Indiana, on your requisition, clothing and supplies for the troops called out to repel invasion.

EDWIN M. STANTON,
Secretary of War.

BOSTON, *July 10, 1863—6.10 p. m.*
(Received 7.20 p. m.)

Hon. E. M. STANTON:

The Fifty-fifth detained, but I beg, if possible, it may not be diverted from North Carolina, where it is strongly urged.

JNO. A. ANDREW,
Governor.

PROVIDENCE, R. I., *July 10, 1863.*

Hon. E. M. STANTON:

It gratifies me to be able to inform you that the draft in this State is progressing favorably, and that the people receive it cheerfully, many of our first men desiring to enter into the service of their country, now called upon, looking upon substitution or commutation as almost dishonorable. This being the case, it seems desirable that the drafted men should be assigned to our regiments now in the field by the State authorities, as men of standing and influence could then associate themselves into companies, and would not fear being placed in the ranks among men of an uncongenial character. Our Fifth Regiment, for instance, having been by your Department raised to a heavy artillery corps, will need two new companies complete, and these must be made up and officered here with men of character and ability, while the companies to be formed could not but have a good influence on the morale of the whole regiment. It seems very important that men of this class should be brought into our Army if they desire it; and while it would have that result, it would be personally gratifying to me could our brave men have their choice in the regiment they should join, unless that regiment was already filled to its maximum standard. Yet it is not my intention to withdraw these men from the control of the U. S. officers charged with carrying out the draft, but merely to be authorized to direct the provost-marshal to what regiment each body of recruits should be sent.

Most respectfully requesting your immediate attention to the matter, and hoping for a favorable reply,

I remain, yours, &c.,

JAMES Y. SMITH,
Governor of Rhode Island.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 10, 1863—11 a. m.

His Excellency ANDREW JOHNSON,
Military Governor of Tennessee, Nashville, Tenn.:

The Secretary of War has directed that rebel prisoners of war who have been impressed into the rebel service, and wish to join our Army

in good faith, may be permitted to do so on taking the oath of allegiance.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington, D. C., July 11, 1863.

His Excellency JOHN A. ANDREW,
Governor of Massachusetts, Boston:

Various circumstances indicate the necessity of relieving the troops at New Orleans and substituting for them troops of African descent. This will be done as far as possible by the organization of troops already acclimated; but it may greatly facilitate that organization to have another regiment like those which you have organized as a standard of organization in that department. This mainly impresses me with the necessity of changing the destination of your Fifty-fifth Regiment, although I have not absolutely determined upon the change. Any consideration which you may be disposed to present will be attentively considered.

EDWIN M. STANTON,
Secretary of War.

COLUMBUS, OHIO, *July 11, 1863.*

Hon. E. M. STANTON:

Please authorize me to issue arms to the volunteer militia of Ohio for border defense. You have about 15,000 stand of arms in our arsenal unfit for service in the field.

DAVID TOD,
Governor.

SPECIAL ORDERS, No. 307. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, July 11, 1863.*

* * * * * * *

3. So much of Special Orders, No. 296, current series, as assigned Brig. Gen. Mason Brayman, U. S. Volunteers, to command the depot for drafted men at Camp Chase, Columbus, Ohio, is hereby revoked, and General Brayman is hereby assigned to command the depot for drafted men at Camp Dennison, Cincinnati, Ohio. * * *

4. So much of Special Orders, No. 296, current series, as assigned Brig. Gen. John S. Mason, U. S. Volunteers, to command the depot for drafted men at Camp Dennison, Cincinnati, Ohio, is hereby revoked, and General Mason is hereby assigned to command the depot for drafted men at Camp Chase, Columbus, Ohio.

* * * * * * *

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington, D. C., July 11, 1863.

His Excellency JAMES Y. SMITH,
Governor of Rhode Island, Providence:

This Department is highly gratified at the patriotic spirit manifested by your people in relation to the draft, and on its part will be

happy to make any arrangement consistent with the law and the rules of service that will meet their wishes. To what extent the arrangement specified in your telegram can be carried out I am not at this moment able absolutely to determine. But if you will specify the regiments to which individuals drafted desire to be assigned, I think there will be no obstacle to having an order made in conformity with their wishes. It is the desire of the Department in all respects to relieve the burden of military duty so far as it can be done. I will thank you for any suggestion that may in your judgment be deemed beneficial to the service.

EDWIN M. STANTON,
Secretary of War.

CIRCULAR No. 44. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., July 12, 1863.*

To answer inquiries made to this office, it is announced:

1. Any drafted person paying $300, under section 13 of the enrollment act, is thereby exempt from further liability under that draft, but not from any subsequent draft.

2. Any drafted person furnishing an acceptable substitute is exempt from military service for the period for which said substitute is mustered into the service.

3. A substitute once mustered into the service cannot be drafted while in service.

4. A drafted man cannot pay commutation money, or present a substitute, after he has reported himself to the Board of Enrollment for examination.

5. Men who, on the 3d of March, 1863, were in the military service of the United States as substitutes, under the draft of 1862, and whose terms of service have since expired, are not liable to the present draft; but the persons for whom they were substitutes are liable to draft, the same as though they had not been drafted and furnished substitutes under the draft of last year.

6. In serving the notice as required by Circular No. 42, from this office, a reasonable time to report shall in each case be granted by the Board of Enrollment to men in State service who have been or may be drafted.

JAMES B. FRY,
Provost-Marshal-General.

NOTE.—Provost-marshals will give publicity to this circular.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 12, 1863.

Col. R. NUGENT,
Actg. Asst. Provost-Marshal-General, New York City:

Let the draft be entirely public, and give the names of all drafted men for publication if the papers want them. The name of every man who is granted exemption by the Board must be published, with cause of exemption clearly stated, except in cases of particular physical disqualifying causes which it might not be delicate to publish; in these cases the fact of exemption must be published and the cause

stated in general and suitable terms. The exact cause must in all cases be reported to this office.

J. B. FRY,
Provost-Marshal-General.

(Same to Major Townsend, New York; Major Diven, New York; Colonel Bomford, Pennsylvania; Major Perkins, Connecticut; Captain Silvey, Rhode Island; Captain Dryer, Massachusetts; General Pitcher, Vermont; Major Mack, New Hampshire; Captain Bailey, Maine.)

LOWELL, MASS., *July 13, 1863.*
(Received 1.10 p. m.)

Hon. E. M. STANTON,
Secretary of War:

Much mischief is done by the publication of the names of drafted men in the newspapers in advance of the official notification. Drafts are evading without any liability to the penalties. Would suggest that no publication be permitted.

BENJ. F. BUTLER,
Major-General.

BOSTON, *July 13, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

Drafted men are leaving the State in large numbers before there is time to serve notice on them. Can authority be given to prevent this by an order forbidding all persons liable to a draft to leave without pass from provost-marshal?

GEO. A. SHAW,
Captain and Provost-Marshal, Third Dist. of Massachusetts.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 13, 1863.

Capt. GEORGE A. SHAW,
Provost-Marshal, Third Dist. of Massachusetts, Boston, Mass.:

CAPTAIN: I have received your telegram of this date, saying that in the Third District of Massachusetts men whose names have been drawn in the draft were fleeing from their homes before official notification can be served upon them, and recommending that orders be published requiring passes from provost-marshal before people can leave their abodes. I am happy to say the evil you complain of does not seem to be general, and for the mere purpose of meeting it I cannot recommend to the Government that any of the law-abiding people shall be controlled or incommoded in their movements. All men who absent themselves in the manner stated are forever to be deserters, and it is the duty of all officers of the Army and of all good citizens, but especially of the officers and employés of this department, to arrest and turn them over for trial and punishment whenever and wherever they may be found. I have no doubt this duty will be faithfully performed, and with a view to it the names of the deserters must be published and posted throughout the country.

If, however, they should escape arrest, the burden of military duty may fall a little heavier upon the loyal and brave, but this voluntary exile of cowards or traitors will relieve the country of a class of men it can well spare.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

NEW YORK CITY, *July 13, 1863—5.30 p. m.*
(Received 7.40 p. m.)

Hon. EDWIN M. STANTON,
Secretary of War:

It would I think be well to give such public information regarding the draft as to show that it was perfectly fair, and that each locality was called upon by the Government only for its just proportion. This would have a good influence on matters in New York. I would also suggest the propriety of having it understood that camps of instruction, certainly in each of the large and perhaps in all the States, were to be established, and the men now drafted are to form for the present reserve corps. It is well to adopt all reasonable precaution.

E. D. MORGAN.

[JULY 13–16, 1863.—For reports and correspondence relating to draft riots in New York City, Troy, and Boston, see Series I, Vol. XXVII, Part II, p. 875 *et seq.*]

WAR DEPARTMENT,
Washington City, July 13, 1863.

His Excellency Governor TOD,
Columbus, Ohio:

The answer to your request for arms for the State militia has been delayed to get returns from all the arsenals, and an account of all the issues that have been made within a month to the different States. The number you desire—15,000—can be issued to you, and if those mentioned in your telegram as now being in the arsenal unfit for the field will suit your purpose, they will be immediately ordered to be delivered upon your requisition. They are of the same class issued to the militia of other States. This telegram may serve as authority for you to obtain them, or a formal order will be transmitted if you desire.

EDWIN M. STANTON,
Secretary of War.

GENERAL ORDERS, No. 216. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, July 14, 1863.*

I. All able-bodied men between the ages of eighteen and forty-five years who have heretofore been enlisted and have served for not less than nine months, have been honorably discharged, and can pass the examination required by the mustering regulations of the United

States, may be enlisted in any regiment they choose, new or old; and, when mustered into the U. S. service, will be entitled to all the benefits provided by General Orders, No. 191, for recruiting veteran volunteers.

A regiment, battalion, or company shall bear the title of "veteran" only in case at least one-half its numbers, at the time of muster into U. S. service, are "veteran volunteers."

II. The benefits provided by General Orders, No. 191, for veteran volunteers, will be extended to men who re-enlisted prior to the promulgation of that order, provided they have fulfilled the conditions therein set forth.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, July 14, 1863.

Major-General BUTLER,
Lowell:

I thank you for the suggestion contained in your telegram. Instructions have been given the Provost-Marshal-General to correct the mischief at once.

EDWIN M. STANTON.

HEADQUARTERS OF THE ARMY,
Washington, July 14, 1863.

Maj. Gen. U. S. GRANT,
Vicksburg:

GENERAL: Your letter to the President of June 19, forwarding one from General Sherman to you of June 2, in regard to filling up old regiments with drafted men, has been sent to me for reply.

The course you recommend was determined on by the War Department some time ago, and will be carried out as soon as the draft is made.

Permit me to call your attention to the propriety of sending such communications through the proper military channels. They will in that way receive an earlier attention, for there is always much delay in referring them back. Moreover, that course will be in compliance with Army Regulations and the usages of the service.

Very respectfully, your obedient servant,

H. W. HALLECK,
General-in-Chief.

CHICAGO, ILL., *July 14, 1863.*

Hon. E. M. STANTON:

A regiment can be immediately organized in Chicago to do service anywhere in the State, provided arms can be obtained. Will you furnish the arms? Allow me, also, to repeat my oft-proffered request that you permit me to raise regiments to be armed and disciplined with a view to defend the State against invasion, to suppress insurrection, and to aid the Federal authorities in enforcing the laws. I

think ten regiments of militia could be organized here immediately if I could assure arms to them.

Respectfully, yours,

RICHARD YATES,
Governor.

Direct answer here. R. Y.

PROVOST-MARSHAL'S OFFICE,
FIRST CONGRESSIONAL DISTRICT OF MICHIGAN,
Detroit, Mich., July 14, 1863.

Maj. B. H. HILL,
Acting Assistant Provost-Marshal-General for Detroit:

MAJOR: I have consulted with some of the leading men of this city, and others of the same class have called on me at my office, in relation to the condition of this city and the mob violence that is to be apprehended here. There is but one expression of opinion, and that is that there is existing here an organized armed body of men in this city to resist the draft. Some estimate it as high as 5,000, but that is an idle estimate.

There are ten wards in the city, and I do not believe there is to exceed an average of over 100 or 150 in each ward, making, say, 1,500. I have great doubts as to the existence of any such organized body, but there is doubtless a large number of disaffected persons who have threatened violence, and who would instantly join any attempted outbreak having for an object the obstruction or prevention of the draft.

This feeling has become intensified to an alarming degree by the successful violence in the city of New York, compelling the draft to be deferred. A spark here would explode the whole and bring it into the most violent action. We have had a negro riot here within the last few months that controlled the city fully, burning some thirty houses, and finally was quelled by the arrival of the Twenty-seventh Michigan Infantry. That mob violence is here now, but intensified a thousand fold.

These, in brief, are the views presented to me, in which I concur.

Upon this state of facts they say that it would be the height of folly to attempt the drawing or the enforcement of the draft without a strong military force to protect the office and papers.

Indeed, they have no hesitation in saying that it could not be done, and further that no officer would be safe in serving notices upon drafted men without adequate protection.

The condition of things is more critical than they have been at any time during the war.

A strong force should be ordered to this city at once.

Yours, respectfully,

JNO. S. NEWBERRY,
Captain and Provost-Marshal, First District.

[Indorsement.]

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Detroit, July 15, 1863.

Respectfully forwarded to Provost-Marshal-General.

There is in this city but a single company of provost guards and a few men of the Invalid Corps.

There are about 100 men (recruits) of the regiment of sharpshooters at Dearborn, but these men will be required to afford protection to the arsenal there. There is no doubt but that there is among a portion of the population of this city a most bitter opposition to the Government, and it extends to other portions of the State. I had a conversation with the Governor in relation to this subject last evening. He will be again in the city in a few days. To-day representations have been made to me of like character to those reported to Captain Newberry, and coming from the source they do, I must say that unless the present mob is put down most summarily in New York the attempt to execute a draft here will lead to similar violence unless supported by a strong military force.

B. H. HILL,
Major, Second Artillery, Actg. Asst. Prov. Mar. Gen.

NEWARK, N. J., *July 14, 1863.*

Hon. WILLIAM H. SEWARD,
Secretary of State:

A mob destroyed the windows of Captain Miller's dwelling-house. He is the provost-marshal for the Fifth District of New Jersey; also the windows of the Mercury newspaper office. The city authorities did nothing to prevent these outrages. The citizens are at the mercy of ruffians.

BENJ. STAINSBY.

WAR DEPARTMENT,
Washington City, D. C., July 14, 1863.

His Excellency Governor MORGAN,
New York City:

Your telegram of last evening has just reached me. Its valuable suggestions will be adopted as fully as the necessities of the service will admit. While it is the design of the Government to prepare the drafted men by camp instruction in their respective States before sending them to the field, there may be exigencies of sudden invasion that would require immediate service. On this and other important points I will be glad to confer with you by letter, if there should not be an early opportunity for personal conference. In the meantime I thank you for the suggestions you have made and for any others that may occur to you.

EDWIN M. STANTON,
Secretary of War.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 14, 1863.

Maj. A. S. DIVEN,
Actg. Asst. Provost-Marshal-General, Elmira, N. Y.:

Suspend the draft for the present in Buffalo.*

JAMES B. FRY,
Provost-Marshal-General.

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*See also Fry to Nugent to suspend draft in New York City and Brooklyn, Series I, Vol. XXVII, Part II, p. 895.

HDQRS. THIRTEENTH DISTRICT OF NEW YORK,
Kingston, July 14, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: I desire to submit the following facts in relation to this district:

During the progress of the enrollment the enrolling officer was obstructed in the performance of his duties at various times in the village of Rondout, also in the west part of this town, both localities largely settled by the Irish people. This resistance was mostly made by the Irish women. But for this I should have arrested the parties engaged in this disturbance.

I called upon the Catholic priest, who assured me that all he could do to restore order should be done. After this better order prevailed. By careful management and stratagem we succeeded in making the enrollment. I had hoped that order would prevail.

I am creditably informed this morning that a large meeting was held at Rondout last evening, mostly made up of the Irish. At that meeting resolutions were adopted to resist the draft at all and any hazard, and to-day men are seen at various places in small groups making threats of resistance, &c. Rondout is one mile and a half from these headquarters.

I have consulted with General Samson, the only military officer in this district. He has no military at his command save one horse company, and that is wholly made up of Germans.

I submit these facts to you for your consideration. I desire that the business in this district should be done decently and in order. Again, we have no arms in this district and are wholly unprotected except my deputy and two special officers.

I am, sir, your obedient servant,

JOSHUA FIERO, JR.,
Captain and Provost-Marshal.

HDQRS. THIRTEENTH DISTRICT OF NEW YORK,
Kingston, July 14, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

Still later. I have just been called upon by many of the most prominent men in this village, who are of the opinion that it will require a force of 500 armed men to protect this office if the draft takes place.

At Saugerties, twelve miles from this place, a meeting was held last night attended by some 300 persons, mostly Irish, who hurrahed for Jeff. Davis and Lee, and voted to resist the draft and visit this place this week on Thursday, supposing the draft to take place at that time. At Rondout the meeting hurrahed for Jeff. Davis and Lee.

Colonel Bell, who is living in this county, "is on sick-list," is now in my office. He says there is not a musket or a gun of any kind in this district that is available.

I have the honor to be, your obedient servant,

JOSHUA FIERO, JR.,
Captain and Provost-Marshal.

ELMIRA, N. Y., *July 14, 1863.*

ADJUTANT-GENERAL U. S. ARMY:

There is good reason to expect a riot here in completing and enforcing the draft. The only force I have to oppose or prevent it is that of recruits for new regiments, not yet mustered into the service. I recommend to send 500 or more well-disciplined men to this place to remain till the drafted men are put in the field.

L. L. LIVINGSTON,
Captain, Third Artillery, Commanding.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 14, 1863—2.35 p. m.

Lieut. Col. WILLIAM D. WHIPPLE,
Military Commander, Philadelphia, Pa.:

The draft has been ordered in certain districts in Philadelphia. I request that you will hold the military force under your control in readiness to put down any attempt to resist the draft.

JAMES B. FRY,
Provost-Marshal-General.

PHILADELPHIA, *July 14, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

At the request of the mayor of this city, I say to you that he wishes the draft in this city suspended for a week. I think it had better go on, being satisfied that I can quell a riot. Unless you order to the contrary it will take place in one district to-morrow.

WM. D. WHIPPLE,
Lieutenant-Colonel, U. S. Army, Commanding.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 14, 1863—3 p. m.

Lieut. Col. J. V. BOMFORD,
Actg. Asst. Provost-Marshal-General, Harrisburg, Pa.:

You are aware that the draft has been ordered in certain districts in Pennsylvania. In anticipation of any difficulty that may arise, communicate with the military commanders in Philadelphia and elsewhere in the State, and ascertain what military force can be made available to put down any attempt at forcible resistance to this draft. Hold the companies of the Invalid Corps ready to move to any point where they may be required. Report to this office the circumstances attending such or any other necessity. Report the same to the various military commanders and ask them to employ the necessary force to carry out the law. If serious trouble be anticipated at different places, make the draft in but one of them at a time.

JAMES B. FRY,
Provost-Marshal-General.

PROV. MAR.'S OFFICE, FIRST DISTRICT OF MARYLAND,
Easton, July 14, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: I am daily advised of threatened resistance to officers enrolling in my district. Not only serious threats, but houses have actually been assaulted and fired into.

I have no military force in the district, but have this day asked General R. C. Schenck for three companies of cavalry. For the want of such a sustaining force, the intimidation is such that I am unable to procure the services of enrolling officers in some localities.

The purpose of this communication is to have your co-operation in speedily obtaining the necessary assistance, and also to advise you of the difficulties to a speedy performance of my official duties.

Very respectfully, your obedient servant,
JOHN FRAZIER, JR.,
Captain and Provost-Marshal, First District of Maryland.

PROVIDENCE, R. I., *July 14, 1863.*

Hon. E. M. STANTON:

I was highly gratified to learn your disposition in reference to our drafted men. I shall be happy to do all in my power that will secure to the service the greatest efficiency. All colored men now drafted (about sixty) I desire assigned to our colored company of heavy artillery, to build and man the fortification on Dutch Island, under direction of Maj. E. B. Hunt. Our drafted men go into camp on the 15th instant, therefore a prompt reply will oblige.

JAMES Y. SMITH,
Governor of Rhode Island.

BURLINGTON, VT., *July 14, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: It is reported to me from various quarters that men are leaving this State and neighboring States in large numbers to evade the draft. Yesterday on my way from Brattleborough to this place the conductor of the train informed me that he had some thirty men on the train from Massachusetts whom he felt sure were going to Canada to evade the draft. The provost-marshal of the First District reports that the Irish laborers in the disaffected region in his district are leaving in large numbers. Reports from various parts of the State are of the same character.

I am, sir, very respectfully, your obedient servant,
T. G. PITCHER,
Brigadier-General, Actg. Asst. Prov. Mar. Gen.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

It has pleased Almighty God to hearken to the supplications and prayers of an afflicted people, and to vouchsafe to the Army and the Navy

of the United States victories on land and on the sea so signal and so effective as to furnish reasonable grounds for augmented confidence that the Union of these States will be maintained, their Constitution preserved, and their peace and prosperity permanently restored. But these victories have been accorded not without sacrifices of life, limb, health, and liberty, incurred by brave, loyal, and patriotic citizens. Domestic afflictions in every part of the country follow in the train of these fearful bereavements. It is meet and right to recognize and confess the presence of the Almighty Father and the power of His hand equally in these triumphs and in these sorrows.

Now, therefore, be it known that I do set apart Thursday, the sixth day of August next, to be observed as a day of national thanksgiving, praise, and prayer, and I invite the people of the United States to assemble on that occasion in their customary places of worship, and, in the forms approved by their own consciences, render the homage due to the Divine Majesty for the wonderful things He has done in the Nation's behalf, and to invoke the influence of His Holy Spirit to subdue the anger which has produced and so long sustained a needless and cruel rebellion, to change the hearts of the insurgents, to guide the counsels of the Government with wisdom adequate to so great a national emergency, and to visit with tender care and consolation throughout the length and breadth of our land all those who, through the vicissitudes of marches, voyages, battles, and sieges, have been brought to suffer in mind, body, or estate, and finally to lead the whole Nation, through the paths of repentance and submission to the Divine will, back to the perfect enjoyment of union and fraternal peace.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this fifteenth day of July, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States of America the eighty-eighth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 15, 1863.

Maj. T. M. VINCENT,
Assistant Adjutant-General, Adjutant-General's Office:

MAJOR: I have the honor to inform you that the draft has been ordered in the following States and districts upon the dates mentioned below:

Date.	State.	District.	Number of men.
July 11	New Hampshire	Second	1,599
13	New York	do	4,146
11	do	Thirteenth	2,006
13	do	Twenty-third	2,088
13	do	Twenty-fourth	2,262

I am, major, very respectfully, your obedient servant,

GEO. D. RUGGLES,
Assistant Adjutant-General.

PROVOST-MARSHAL'S OFFICE, COLORADO TERRITORY,
Denver, July 15, 1863.

Capt. SIDNEY CLARKE,
Acting Assistant Provost-Marshal-General:

SIR: In accordance with your instructions of July 3, 1863, I would respectfully inform you that there is a strong secession element almost throughout this Territory, and hundreds who are arriving here from the Border States weekly are nearly all Southern sympathizers. In several counties threats have been made that the Government should not enroll in the county, for which assertion I have made several arrests and administered the oath of allegiance and put the parties under bonds, with one exception, A. F. Freeman, who is now in confinement here for stating that the draft could not be enforced here, and that he would shoot any Union officer that attempted to take him. I went to Clear Creek County and arrested him myself. I have, however, no fears of being able to enroll in every part of this Territory as soon as the surgeon and commissioners are appointed, and to enforce the draft when ordered.

Very respectfully,

JOHN WANLESS,
Captain and Provost-Marshal, First District of Colorado.

WAR DEPARTMENT,
Washington, D. C., July 15, 1863.

His Excellency RICHARD YATES,
Governor of Illinois, Chicago:

Regiments for a less term than three years or during the war are practically of little service. Regiments for home service interfere materially with the organization of troops either by draft or volunteering for the general service of the country. Nothing but the absolute necessity from actual invasion has induced the Government in any instance to authorize such troops. No such exigency exists in Illinois, and the Department cannot, in the discharge of its duty to the country, feel justified in authorizing the raising of such regiments or in devoting arms that will be required for the general service. This answer has already been given to you on former occasions, and the experience of every day confirms the necessity for strict adherence to it.

EDWIN M. STANTON,
Secretary of War.

IOWA CITY, *July 15, 1863.*

Hon. E. M. STANTON:

The enforcement of the draft throughout the country depends upon its enforcement in New York City. If it can be successfully resisted there, it cannot be enforced elsewhere. For God's sake let there be no compromising or half-way measures.

SAML. J. KIRKWOOD.

DES MOINES, IOWA, *July 15, 1863.*

His Excellency ABRAHAM LINCOLN,
President of the United States:

Suspension of draft in New York as suggested by Governor Seymour will result disastrously in Iowa.

W. H. F. Gurley, U. S. attorney; H. M. Hoxie, U. S. marshal; S. Sibley, U. S. commissioner; W. G. Woodward, clerk of U. S. circuit court; S. C. Brownell, J. N. Cornish, John P. Fenley, Board of Enrollment, Fifth District of Iowa; F. W. Palmer, State printer; Thos. F. Withrow, chairman Republican State Central Committee.

HDQRS. BOARD OF ENROLLMENT,
THIRD CONGRESSIONAL DISTRICT OF MISSOURI,
Ironton, July 15, 1863.

Col. E. B. ALEXANDER,
Actg. Asst. Prov. Mar. Gen. for Mo., Saint Louis, Mo.:

SIR: I have the honor to represent to you that there are several counties in this district in such a condition that in my judgment renders it useless to appoint a deputy provost-marshal for each one.

A considerable military force would be required to enable them to do anything, but in many instances one deputy will answer for two or three counties. Under the circumstances am I authorized to appoint in this way, or must I appoint one for each county?

Very respectfully, your obedient servant,

C. W. NOELL,
Captain and Provost-Marshal, Third District of Missouri.

[Indorsement.]

HDQRS. ACTG. ASST. PROV. MAR. GEN. FOR MISSOURI,
Saint Louis, July 16, 1863.

Respectfully forwarded to the Provost-Marshal-General, together with copy of my reply to the same inclosed herewith.

E. B. ALEXANDER,
Colonel, U. S. Army, and Actg. Asst. Prov. Mar. Gen. for Mo.

[Inclosure.]

STATE OF MISSOURI,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Saint Louis, July 16, 1863.

Capt. C. W. NOELL,
Provost-Marshal, Third District, Ironton, Mo.:

SIR: I have the honor to acknowledge the receipt of your communication of the 15th instant, and in reply have to say that, upon a careful reading of Circular No. 19 and paragraph 11 of the Regulations, I am of the opinion that you have no discretion given you as to the number of deputy provost-marshals in your district, but are required to appoint one for each county, the object evidently being to secure the completion of the enrollment at as early a date as practicable.

I have, however, referred the question together with your letter to the Provost-Marshal-General and will advise you of his decision.

I have heretofore procured an order to be issued from the headquarters of this department, authorizing you to call for troops necessary to protect you and your subordinate officers in the discharge of your duties. I sent you a copy of that order on the 10th instant.

Very respectfully, your obedient servant,

E. B. ALEXANDER,
Colonel and Actg. Asst. Prov. Mar. Gen. for Missouri.

TRENTON, N. J., *July 15, 1863.*
(Received 10.40 a. m.)

Col. J. B. FRY,
Provost-Marshal-General:

There is much excitement in the State, and organizations are forming to resist the draft. I have no means of enforcing it, when ordered, at my disposal.

ROBERT C. BUCHANAN,
Lieut. Col. Fourth Infantry, Actg. Asst. Prov. Mar. Gen.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 15, 1863—9.10 p. m.

Lieut. Col. R. C. BUCHANAN,
Actg. Asst. Prov. Mar. Gen., Trenton, N. J.:

Direct the provost-marshals to be watchful and to inform themselves of all that is going on, but to perform their duties in as quiet and inoffensive a manner as possible, and not to do anything likely to bring on a disturbance, even to yield a little, at present, if necessary.

Troops have been sent to New York, and when the riot is quelled there will be available for New Jersey, and all opposition will be put down.

The draft will not be ordered in New Jersey until we are prepared to enforce it.

JAMES B. FRY,
Provost-Marshal-General.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
WESTERN DIVISION, STATE OF NEW YORK,
Elmira, July 15, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to report that the draft is progressing quietly in the Twenty-seventh and Twenty-sixth Districts; in the Twenty-seventh it is almost half completed. I have not heard from the Twenty-sixth to-day further than that it was progressing.

In the Thirty-first no draft has as yet been ordered; I think no difficulty need be apprehended there. In the Thirtieth there were mistakes in the allotments, and we are ostensibly delaying the draft until it can be ratified. In the Twenty-fifth there are some important errors in allotments and enrollments. The provost-marshal has telegraphed you for instructions and as soon as they are received will commence the draft. In the Twenty-eighth there are some errors to be corrected, making another occasion for delay. I am not sorry to have a cause that the public may know for delay in the two districts embracing cities.

From the Twenty-ninth, which was to commence to-morrow, I have just received a dispatch from the provost-marshal that he was not ready. For the Twenty-fourth there has been no order for draft. The draft has not been ordered in the Twenty-third; we received an order yesterday for the Twenty-second, which we supposed was for the Twenty-third, but as it might have been sent to me by mistake when intended for Major Townsend, in whose division of the State the Twenty-second is located, I returned it.

There is much talk of combination and resistance, and if the Government puts down the riot in New York by yielding to it in whole or in part by showing any disposition to compromise with the rioters, as Governor Seymour seems to propose, then I expect the resistance to be universal.

Captain Livingston, commandant of this station, has asked of the Adjutant-General 500 troops. I hope you will furnish them at once, and the Buffalo rendezvous should have as many.

We have now here about 100 recruits for service that I have armed with the Invalid Corps arms, and about twenty of the Invalid Corps that could be made available, and on an emergency I could arm volunteers. I have let the sheriff of the county of Broome have privately 100 muskets, as there is to be a grand Irish meeting at Binghamton to-morrow. I will have some one there to see that the boxes are not opened unless necessary. I have let the provost-marshal of the Twenty-sixth District have 100 under similar circumstances.

I have been very much embarrassed to find 800 muskets here consigned to an agent of the State. Captain Livingston yesterday proposed to the agent, who we do not know, to take charge of them, which he declined. They were lying in the common freight house of the New York and Erie Railway, where they could have been seized by a mob without difficulty.

I made up my mind at all hazard to put them where they would be safe, and went to the depot for that purpose. I found they had been removed to a store-house. I shall take the liberty of placing a guard over the store-house.

I have the honor to be, your obedient servant,

A. S. DIVEN,

Actg. Asst. Prov. Mar. Gen., Western Division of New York.

HEADQUARTERS,
Philadelphia, July 15, 1863.

Col. J. B. FRY,
Provost-Marshal-General:

Draft completed in one enrollment district to-day without trouble.

WM. D. WHIPPLE,
Lieutenant-Colonel, Commanding.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 15, 1863—3.40 p. m.

Lieut. Col. W. D. WHIPPLE,
Military Governor, Philadelphia:

I desire you to use the troops of the Invalid Corps with due consideration. They cannot endure long-continued exertion. They are all disabled men, though tried soldiers.

Make every arrangement for their comfort in quarters and rations, and any necessary additional expense I will authorize.

Five companies leave here to-night to report to you.

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 15, 1863—3.45 p. m.

Lieut. Col. W. D. WHIPPLE,
Military Governor, Philadelphia:

Three companies of the Invalid Corps are ordered from Harrisburg to report to you. Make arrangements to have them comfortably provided for, and do not expect long-continued exertion from them.

JAMES B. FRY,
Provost-Marshal-General.

PHILADELPHIA, PA., *July 15, 1863.*

Col. J. B. FRY,
Provost-Marshal-General:

I do not require any soldiers of the Invalid Corps. Will have sufficient others to-morrow. I cannot provide quarters for my provost guard, but am compelled to put them in camp. Please countermand the order for the Invalid Corps.

WM. D. WHIPPLE,
Lieutenant-Colonel, Commanding.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 15, 1863—10.30 p. m.

Col. WILLIAM D. WHIPPLE,
Military Governor of Philadelphia:

Your telegraph received. The five companies ordered from here have been retained here. If the companies of the Invalid Corps from Harrisburg arrive, camp them and provide for them as you best can.

JAMES B. FRY,
Provost-Marshal-General.

LANCASTER, *July 15, 1863.*

Hon. JAMES B. FRY,
Provost-Marshal-General:

SIR: Permit me to doubt whether you have carefully considered the conscription law with respect to the effect of the draft. The law plainly, to my mind, places those who pay $300 and those who furnish a substitute on the same footing, and neither of them can be again drafted until the whole of the first and second classes are exhausted. It would be monstrous if men whose religion does not allow them to bear arms and who pay the commutation, as the law says, "for the procuration of substitutes," should not be exempt the same way as if he served or paid a substitute himself; it would be persecuting him with liabilities equal to all the others, not simply equal to one other citizen. This is not and ought not to be the law. It is said, also, after a drafted man has presented himself, and claims exemption

under the law, and his claim is disallowed, he cannot pay the $300. How is it possible that such can be the law? How does he or the military officers know he is liable to military duty until he is examined? How could that commutation be demanded until such facts are ascertained? These constructions are oppressive and render the law unnecessarily odious. Excuse me for supposing that in the multitude of business you have erred in these things.

THADDEUS STEVENS.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 15, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I deem it my duty to tell you in writing that, as a Philadelphian, I have means of hearing from various sources what has caused me to believe that there will be serious resistance to the draft in that city, and under pretext of that the mob will endeavor to take possession of the U. S. property in that city—clothing, arsenal at Gray's Ferry, Bridesburg Arsenal, mint, &c. That the four companies of what is known as the provost guard of that city are not considered to be at all efficient, and their commander, Captain Finnie, is not deemed to be much of an officer. I have seen the telegram in which Colonel Whipple thinks he can carry out the draft with the force he has. I beg leave to differ with him, and would strongly urge that the draft be not attempted in Philadelphia until the resistance to it elsewhere has been put down by force, and then execute it in Philadelphia under the presence of an efficient force of 1,500 to 2,000 reliable troops.

I am, very respectfully, your obedient servant,

RICHARD H. RUSH,
Colonel, &c.

NAVY DEPARTMENT,
July 15, 1863—11.15 a. m.

Commodore C. K. STRIBLING,
Commander Navy-Yard, Philadelphia:

In case of any disturbance arising from the draft in Philadelphia you will first take necessary measures to protect, with the force under your command, the Government property under your charge; and then if necessary aid the authorities in preserving peace in the city by sending them such of your force as may be available.

GIDEON WELLES,
Secretary of the Navy.

[JULY 15, 1863.—For Curtin to Stanton in relation to muster-out and payment of the militia, see Series I, Vol. XXVII, Part III, p. 707.]

HARTFORD, CONN., *July 16, 1863.*

Hon. E. M. STANTON:

The State arsenal in this city contains ordnance stores which must be protected. A scant force of employés, true men, are now endeavoring to guard it from apprehended danger. Not one can be spared.

Will you permit any of them who may be drafted to be detained for this duty, or excused at least during the trying emergency upon us? Reply.

WM. A. BUCKINGHAM,
Governor.

OFFICE ASST. PROV. MAR. GENERAL FOR ILLINOIS,
Springfield, July 16, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: In view of the approaching draft in Illinois I deem it my duty to apprise you as fully as I can, and without delay, of the present condition of affairs in this State, the dangers to be apprehended, and the precautionary measures and safeguards that seem called for by the situation.

Although seditious and turbulent elements are to be found more or less in all the districts of the State, they are more open and menacing in the Fifth, Sixth, Ninth, Eleventh, and Thirteenth at the present time than in any others. I will therefore lay before you a few facts in the case of each of these districts to enable you to estimate the true state of affairs and to judge of the soundness of the conclusions to which I have arrived. I will speak of matters in the aforementioned districts in the order of time rather than of number.

District No. 9, Capt. B. F. Westlake, provost-marshal.—On the 30th of June I received a brief note from Captain Westlake, inclosing the within letters from Messrs. McComb and Elliott, relative to the disturbance in the county of Fulton. The letters are marked respectively A and B.

July 1 I replied, directing Captain Westlake to send a special agent to investigate and report the facts in detail, a copy of which letter is inclosed herewith, marked C.

July 11 I received a letter from Captain Westlake, transmitting two reports from R. R. Randall, special agent appointed as directed by me. (See inclosures marked D and E.)

July 13 I requested Captain Westlake to give me his own views of the state of affairs in Fulton County, and what steps, if any, were necessary, in his judgment, to be taken in the premises.

July 15 I received his answer. (See inclosure marked F.)

July 16 I replied to the above, giving such instructions, of a prudential nature, as the circumstances seemed to justify and demand. (See inclosure marked G.)

July 16 I received the inclosures marked H and I from Captain Westlake, relative to the probable receipt from Enoch Woods, of Chicago, of a large lot of arms, and their distribution to disloyal persons, through one Driskill, of Tennessee, in Fulton County, Ill.

District No. 13, Capt. Isaac N. Phillips, provost-marshal.—For a statement of affairs in this district up to the 13th instant I would respectfully refer you to my letters of July 4 and 13. As stated in said communications, the hostile demonstrations thus far are mainly confined to Williamson County, in which there is now a force of 240 cavalry and 40 infantry, the latter for guard duty.

July 14 I sent Captain Phillips a letter of instructions, a copy of which is inclosed herewith, marked J.

District No. 11, Capt. Mortimore O'Kean, provost-marshal.—July 14 I received a communication from Captain O'Kean relative to dis-

turbances in Franklin County. (See inclosure K.) The same day I addressed a letter to him (inclosure L) of about the same tenor as that to Captain Phillips (J).

July 15 I replied to Captain O'Kean, a copy of which is herewith inclosed, marked M. The same day I received an urgent dispatch from W. T. Ingram, the deputy for Franklin County, referred to by Captain O'Kean. A copy of said telegram and my reply is inclosed, marked N.

District No. 5, Capt. James M. Allan, provost-marshal.—July 15 I received two letters from Captain Allan (see inclosures O and P), revealing grounds of serious apprehension.

District No. 6, Capt. Abel Longworth, provost-marshal.—July 15 I received a very earnest and sensible letter from Captain Longworth relative to apprehended danger of mob violence in Joliet. (See inclosure Q.)

July 16 I answered Captains Allan and Longworth in substantially the terms used in my reply to Captain Westlake. (See inclosures R and S.)

As already stated, 240 cavalry and 40 infantry have been sent to Carbondale, Jackson County, to operate, as may be required, in Williamson and Franklin Counties, under the orders alternately of Captains Phillips and O'Kean. The state of affairs in those counties and vicinities, present and prospective, renders it almost certain that those troops cannot safely be withdrawn until the enrollment and draft are completed. Indeed, I fear they will be inadequate for the coming exigencies of the service in those two districts. Two other companies of cavalry are stationed at Quincy, headquarters Fourth District, for the joint use of Captains Woodruff and Westlake, of the Fourth and Ninth Districts. The indications are that their services will continue to be needed in that quarter of the State and cannot be spared for duty elsewhere.

Upon receiving the inclosed letters from Captains Allan and Longworth I instituted inquiries as to the remaining available force at this military station and find that it consists of forty infantry and eighteen cavalry, all told. It will be seen at once that in case of any formidable and extensive resistance to the draft in Illinois we are utterly powerless, so far as the military is concerned. As to the probability of such resistance, it can be judged of in part from the documents submitted herewith. I am satisfied that the enrollment will be completed without much further trouble, save in some three or four counties. But there are many indications that the disloyal elements in the State have reserved their active hostility for the draft, with the inauguration of which will come the real crisis in Illinois.

Several events have transpired since my review of the state of affairs, submitted in my letter of June 8, which tend somewhat to lessen the hopeful opinion then expressed of the continued tranquillity of this State. Prominent among these are the passage of the so-called "peace resolutions" by the State convention of the 17th ultimo, taking bold and open ground against the war; the public advocacy of those resolutions before the people by prominent political leaders, among whom is General J. W. Singleton, of Adams County, and others equally prominent; the alleged unconstitutionality of the enrollment act as promulgated by disloyal speakers and presses, &c. The growing influence of these things upon the masses, already predisposed to resist the draft, has been very perceptible, as was to be expected.

Still, I do not think that violent resistance will be recommended by any considerable portion of the leaders. They are with reason

alarmed at the tremendous consequences likely to ensue from the effect of their teachings upon the popular mind, and will, I think, as a general rule, endeavor to calm the passions of the people, and to dissuade them from, rather than incite them to, acts of open and armed resistance to the authority of the Government. This disposition of the leaders to restrain the masses will be increased by the infernal atrocities of the New York mob, while the difficulty of doing so is fearfully enhanced; for the effect of the unbridled diabolism of that terrific riot upon the turbulent passions of disaffected and unreasoning men is to inflame and excite in the highest degree, the influence upon the leaders and people of the opposition being in opposite directions. In antagonism with the adverse tendencies which I have mentioned is the powerful influence of the recent repeated and splendid victories of our arms. But for the formidable outbreak in New York I firmly believe that the wave of patriotic feeling set in motion by the magnificent triumphs of the Union forces would have borne down opposition and carried Illinois through the draft with no considerable disturbance, except in a few isolated instances. As it is, I would request your serious attention to the suggestions of Captain Westlake (inclosure F) relative to the bearing of the great riot upon the progress of the enrollment and draft in this State. The relation of New York to the whole country as the great commercial metropolis and center of political influences is so peculiar that the suppression of the riot and enforcement of the draft there is, I believe, an absolute necessity to its successful enforcement in Illinois and elsewhere. "Everywhere or nowhere" is the maxim already heard in our streets.

Doubtless all this is perfectly understood at Washington. The riot will of course be suppressed, its instigators punished, and the draft proceeded with in New York at any and all hazards. When this is done, if done effectually and completely, the influence of the emeute in New York upon the behavior of disloyal persons in Illinois will be beneficial rather than pernicious, for all will feel that if the Government is too strong for traitors in that great city resistance elsewhere will be in vain.

I have dwelt upon this point because its direct bearing upon my field of duty cannot be overestimated.

I would respectfully invite your attention to the inclosed letters (O, P, Q) from the provost-marshals of the Fifth and Sixth Districts. They are of very grave import, and I am powerless to provide them the assistance called for.

In conclusion I would respectfully suggest that, if compatible with the interests of the public service, the order for the draft in this State may be deferred till ample means can be placed at the disposal of all district provost-marshals whose headquarters have been or are likely to be menaced by an armed mob to promptly resist and suppress all violent manifestations. For this purpose there should be, in my judgment, not less than three or four full companies of soldiers at each headquarters before the draft begins (with the exception perhaps of the Second and Third Districts), and at least one full regiment as a reserve for the State at large.

The preceding estimate is based upon the supposition that the draft will be simultaneous in all the districts. If, however, the draft should be made in one district at a time, a less number of troops would suffice, since they could be moved from point to point as the draft progressed. And if it could be distinctly understood by the people that there would be a draft in every district, while the order in which the districts are to be taken is withheld from their knowledge,

the advantages of drafting in the several districts seriatim would seem to commend that plan to consideration.

In like manner, if one Northwestern State should be taken at a time, the troops could be moved from State to State as the draft progressed and necessity required. These are mere suggestions, made in view of the want of available troops for this particular service at the present time.

If the course recommended should be adopted, or any other which would place such a force at command as to convince bad men from the very outset that resistance would be vain, the draft in Illinois will be consummated speedily and peacefully beyond a doubt; presuming always that it is enforced in New York and other great cities.

But in the present attitude of the disaffected elements here I do not think it would be prudent or safe to begin the draft while the State is so utterly destitute of the means of enforcing it and maintaining order, as this report shows it to be.

I am, colonel, most respectfully, your obedient servant,

JAMES OAKES,

Lieut. Col. 4th U. S. Cav., Actg. Asst. Prov. Mar. Gen. Illinois.

[Inclosures.]

A.

LEWISTOWN, ILL., *June 23, 1863.*

Mr. B. F. WESTLAKE,
Provost-Marshal:

DEAR SIR: I wish to inform you that Mr. Luke Elliott, the gentleman I got to enroll Pleasant precinct, has made his returns with only some dozen names. He is a good, true man, no coward, but could not proceed any further without putting his life in jeopardy at every step. He says they swear the enrollment shall not be made by any one. I have implicit confidence in his word. There is no doubt but that there is a combination in that region, which embraces Astoria, Woodland, Kenton, Isabel, and Pleasant precincts, to resist the enrolling officers, as I before stated to you that no one could be found as yet to enroll Astoria, and as matters now stand I am satisfied that I cannot get any one to take Astoria nor Isabel, and from what I hear this evening I expect Mr. Collins in Woodland, and Shields in Kenton, will be compelled to stop. Now the question is, what is to be done? Mr. Elliott is advised by some friends to try the civil law, others think it of no use. He says if the civil law is resorted to that some old true Union men would have to be made witnesses, and that they would be killed most likely, as they consider their lives now in danger, and, too, our sheriff and deputy are sympathizers, it is supposed. I have concluded to let this part of the county be as it is for the present. I am going north to-morrow; don't anticipate any trouble, still I may be mistaken. My opinion is that civil process against these traitors would be but a farce, nothing would be accomplished.

Please answer at once.

Yours, &c., WM. McCOMB.

B.

SUMMUM, ILL., *June 22, 1863.*

Captain WESTLAKE,
Provost-Marshal:

SIR: I was appointed by the enrolling officer of this county (William McComb) to enroll Pleasant Township. I this day entered on the

duties of the office, and before I had proceeded one hour was abused worse than a Hottentot, and by noon my labors were stopped by armed men of the worst possible character. My life is threatened if I offer to proceed any further in that direction.

I propose going to Lewistown to see McComb to-morrow, if I am not assassinated to-night by the copperheads, and know what is to be done in the premises. One thing is certain, I cannot finish enrolling the township without an armed force sufficient to keep the d—d rascals at bay.

My belief is that the copperheads will commence hostilities in this county, and that very soon. They make all the demonstrations, and hurrah for Jeff. Davis, and wear all the insignia of rebellion that ever was in any of the rebel States. We are entirely in a condition to be overrun at their pleasure, being destitute of arms and largely in the minority. This is no fiction; we are in imminent danger.

I have the honor to be, your humble servant,

LUKE ELLIOTT.

I certify that I am intimately acquainted with the condition of things in this vicinity, and fully concur in the statement of Mr. Elliott. I was applied to early this morning for a writ for four men for assassinating a showman and one other man on their way home, all growing out of the present difficulty. I think it would be good policy to have a marshal in this county. The south part of the county is probably as copperheadish as any part of the State, and is remote from railroad facilities or any speedy means of relief in case of an outbreak, which is very imminent.

If you have not received the evidence of Mr. Elliott's appointment as enrolling officer I can testify that he was appointed by Mr. McComb and sworn in by me.

Given under my hand June 23, 1863.

JOEL ONION,
Justice of the Peace.

C.

OFFICE ACTG. ASST. PROV. MAR. GEN. OF ILLINOIS,
Springfield, July 1, 1863.

Capt. B. F. WESTLAKE,
Provost-Marshal, Ninth District, Mount Sterling, Ill.:

CAPTAIN: * * * I have carefully considered the statements of Messrs. McComb and Elliott relative to trouble in certain sub-districts of Fulton County. It is very desirable to avoid recourse to severe measures if possible. To this end you will send a prudent, competent, and reliable special agent to Fulton County, who will confer with Mr. McComb, and make a careful personal examination of the state of things, and report to me through you, when such action will be taken as the emergency may demand. You will at once reply to my dispatches of yesterday. The matter admits of no delay.

I am, captain, very respectfully, your obedient servant,

JAMES OAKES,
Lieut. Col. Fourth U. S. Cav. and A. A. P. M. G. Illinois.

D.

RUSHVILLE, ILL., *July 9, 1863.*

Capt. B. F. WESTLAKE,
Provost-Marshal, Ninth District:

DEAR SIR: I arrived at home last evening, and hasten to report to you the facts in relation to the difficulties in Fulton County.

Considerable opposition has been manifested in the different townships of the county. Armed resistance has been displayed in but two townships, Pleasant and Woodland. On the 22d of June Luke Elliott, enrolling officer for the township of Pleasant, was driven forcibly by a large armed mob, headed by Jeremiah R. Smith (a deserter), Robert Dowling, and John Blair, and he was compelled to desist from his labors.

Two of the leaders of the Democracy, Messrs. Perry and Judd, visited the township a few days ago and urged them to consent to an enrollment, and Isaac David has been appointed and will successfully enroll the township. In Woodland Township John Collins, enrolling officer, was visited by seven armed men on Alum Creek on the 8th day of July and his life threatened if he did not instantly leave the township. He was compelled to leave the creek. His work is nearly completed, having but one day's work. The leaders are deserters and are named as follows: William Bryant, Benjamin F. Edmonds, and Jackson M. Breeden, John Jolly, Archibald Bryant, Robert Row, Novell Row, assisting them. In Pleasant Township rebellion exists on an extensive scale. They are quite formidable and well armed, and are led and controlled by bad and dangerous men; and it is my opinion, as well as the opinion of Captain Phelps, assistant provost-marshal, that Fulton County cannot be enrolled without at least one company of good mounted troops; and the same state of things exists in Woodland Township, and the same remarks are applicable. There is a large number of deserters in Pleasant and Woodland Townships. The Lewistown Democrat and the leading Democrats in Lewistown are responsible for this state of things. They have boldly advised resistance until the masses are so exasperated that they cannot control them.

* * * * * * *

Mr. McComb, the enrolling officer, has not succeeded in getting any one to enroll Waterford, Liverpool, and Fairview, but will do so this week. The assistant township enrolling officers, so far as I could examine, are not objectionable to the Democracy. They are good men, and have been selected with much care. I am satisfied that the enrollment will meet with no further opposition; but in the apprehending of deserters force will be necessary.

I am, sir, most respectfully, your obedient servant,

RICHD. R. RANDALL.

E.

MOUNT STERLING, ILL., *July 10, 1863.*

Capt. B. F. WESTLAKE,
Provost-Marshal, Ninth Congressional District:

DEAR SIR: By your order I have carefully investigated the opposition against the enforcement of military law in the county of Fulton, and would respectfully state that it is the opinion of Capt. William

Phelps, assistant provost-marshal of Fulton County, that the law cannot be enforced in arresting deserters without at least one company of well-armed troops, and from my own personal observation and intercourse with such men in the county I am satisfied force will be absolutely necessary. The leaders in the opposition are in every instance deserters, and if they were disposed of the county could be properly controlled.

I am, sir, most respectfully, your obedient servant,

R. R. RANDALL.

F.

HDQRS. PROVOST-MARSHAL'S OFFICE, NINTH DISTRICT,
Mount Sterling, Ill., July 15, 1863.

Lieut. Col. JAMES OAKES,
Acting Assistant Provost-Marshal-General, Springfield, Ill.:

COLONEL: In reply to yours of the 13th instant, in relation to report of the condition of affairs in Fulton County by my special agent, R. R. Randall, I desire to say that while I am strongly disposed to believe that the necessity at this moment exists for the presence of an armed force not only in Fulton County, but also at these headquarters, yet having thus far conducted the business in this district successfully without these auxiliaries, I still hope that present appearances may prove deceptive. The disaffected and rebellious element in this district have been aroused to more active and overt demonstrations from the late riotous conduct of the same classes in New York City, and my hope for the speedy change here for the better is based upon the prospective dispersion and punishment of those rioters. I have just received information from a secret spy, sent a few days since into the southern part of this (Brown) county, by which I learned that an organized band of men have established themselves in the vicinity of La Grange, who are pledged to resist the draft and also the further arrest of deserters. These men are armed with guns and revolvers, and are said to have a large supply of powder and lead. I am closely watching these fellows through a spy in their midst, and should it become clearly apparent that a military force is indispensable to preserve order and enforce the laws I will telegraph you for that purpose.

I am expecting further information from Fulton County, which, when received, will probably enable me to decide at once upon the necessity of asking for military aid.

I have also received information this day from a source entitled to credit that an attempt will be made to destroy the rolls in this office in the event of a draft. I am exerting myself to get at the bottom of these reports and will advise you from time to time in the premises.

If you will give me the men in number and my own choosing, I will send all the deserters out of my district. No man not actually acquainted with this district can form any idea of making arrests, yet with the small force allowed I have and will do all that I can.

I shall send fourteen in the morning.

I am, colonel, respectfully, your obedient servant,

B. F. WESTLAKE,
Captain and Provost-Marshal, Ninth District of Illinois.

G.

OFFICE ACTG. ASST. PROV. MAR. GEN. FOR ILLINOIS,
Springfield, July 16, 1863.

Capt. B. F. WESTLAKE,
Provost-Marshal, Ninth District, Mount Sterling, Ill.:

CAPTAIN: Yours of 15th received. Continue to exercise all possible care and vigilance in detecting and circumventing the hostile purposes of deserters and disloyal persons. The records of your office must be protected at all hazards. I share in your hope that the work may be carried to a successful termination without resorting to the military arm. But the times admonish us to be prepared for the worst. Keep me fully advised of the course of events. I will aid and advise you at all times to the best of my knowledge and resources. Should you at any time consider your headquarters in danger from a mob or riotous violence, and the emergency too pressing to allow of delay, you would be authorized to engage or hire a sufficient number of suitable persons as temporary guard, and to purchase needful weapons for their use, if not otherwise obtainable. Should arms be purchased for such necessary use, you will send the vouchers to the Provost-Marshal-General, as in case of other purchases. It might be well to have an understanding with a suitable number of prudent and reliable men, to be ready to act at the moment of need.

You will understand that these are only precautionary suggestions, to be acted on only in the case of extreme need or danger. But the authority of the Government and the requirements of the enrollment act must be sustained and carried out.

I am, captain, very respectfully, your obedient servant,
JAMES OAKES,
Lieut. Col. Fourth U. S. Cav. and A. A. P. M. G. for Illinois.

H.

MACOMB, ILL., *July 11, 1863.*

Capt. B. F. WESTLAKE:

SIR: I received a letter this morning from Tennessee. Find copy inclosed.

* * * * * * *

I have no fears of an outbreak until the enforcement of the draft. Then I am satisfied it will take the military to do so. I learn they are drilling in some three parts of the county. Reliable persons see them going to and from the grounds; said to number some sixty-five persons.

* * * * * * *

This man Driskill is a most notorious copperhead. Paid bill, $655.50, besides freight; weight of box 240 pounds. I am told the arms have been already divided, some of them having gone north the creek

* * * * * * *

I have written the provost-marshal at Chicago to look to this house—Enoch Woods'. If loyal, would be glad to have a copy of bill. Had not you better write him also? Had not the authorities better keep watch over this house?

* * * * * * *

Driskill is a poor man not in trade; evidently received the arms for distribution. All that can be done is post and prepare ourselves for the enforcement of the law when violated.

WM. H. RANDOLPH.

I.

TENNESSEE, ILL., *July 10, 1863.*

Capt. W. H. RANDOLPH:

DEAR SIR: Mr. Driskill, of this place, this morning received a box per express with a C. O. D. bill of $655.50. It undoubtedly contained firearms to arm the copperheads. The box came from Enoch Woods & Co., Chicago. I inclose you their card. Would it not be well for you to see to this?

Yours, truly, B. M. VEACH.

I am well acquainted with Captain Veach. I know him to be reliable.

RANDOLPH.

J.

OFFICE ACTG. ASST. PROV. MAR. GEN. FOR ILLINOIS,
Springfield, July 14, 1863.

Capt. ISAAC N. PHILLIPS,
Provost-Marshal, Thirteenth District, Cairo, Ill.:

CAPTAIN: You will please keep me fully informed of all important movements and uses of the military forces now at your disposal and the progress of the enrollment of Williamson County. I am advised of the existence of trouble in Franklin County, similar to that in Williamson, though not so extensive.

It will be necessary for the same troops to operate in that county also, should their presence be needed. You will, therefore, communicate with Captain O'Kean, ascertain when and where the troops will be needed in Franklin County, and manage for them to pass from one county to the other in such a manner as not to conflict with the execution of your own plans or those of Captain O'Kean. The headquarters of the Eleventh District have been changed from Salem to Olney.

Please let me know without delay when you can spare the whole or a part of your force, as they are greatly needed elsewhere.

I have informed Captain O'Kean that he is to co-operate with you in the use of the troops, as above stated.

I am, captain, very respectfully, your obedient servant,
JAMES OAKES,
Lieut. Col. Fourth U. S. Cav. and A. A. P. M. G. for Illinois.

K.

OFFICE PROV. MAR., ELEVENTH DISTRICT OF ILLINOIS,
Olney, July 11, 1863.

Lieut. Col. JAMES OAKES,
Actg. Asst. Provost-Marshal-General, Springfield, Ill.:

COLONEL: I have just received a letter from W. T. Ingram, deputy provost-marshal in Franklin County, stating that there are about 100 deserters in that county; that the most of them are armed, and that it is impossible for him to take them without an armed force to assist. He states that the Union men of that county are largely in the minority, and if he calls upon them for assistance it will result in bloodshed and the ruin of the few Union men there. Under the circumstances I thought best to refer the matter to you for such action as you deem advisable.

I am, very respectfully, your obedient servant,
M. O'KEAN,
Captain and Provost-Marshal, Eleventh District of Illinois.

L.

OFFICE ACTG. ASST. PROV. MAR. GEN. FOR ILLINOIS,
Springfield, July 14, 1863.

Capt. M. O'KEAN,
Provost-Marshal, Eleventh District, Olney, Ill.:

CAPTAIN: I have sent a force of cavalry and infantry to Carbondale, Jackson County, to be employed, if necessary, in the protection of the officers while making the enrollment of Williamson County. These troops are subject to the orders of Captain Phillips, provost-marshal of the Thirteenth District. As Franklin County is immediately north of Williamson, the same force can readily be placed at your disposal to enable you to enroll said county, should their presence and aid be necessary for the protection of your officers while in discharge of their duty. You will therefore confer with Captain Phillips and arrange for the transfer of the troops to Franklin County, if necessary, after Captain Phillips is done with them. I have written to Captain Phillips to the same effect. If the soldiers pass over into Franklin County they will be subject to your orders. While executing your duties under the enrollment act with unflinching energy and firmness, I cannot too earnestly impress upon you the importance of prudence and discretion. Much depends upon the manner in which a military force is employed. Confine yourself to the rules and principles prescribed in the regulations for your guidance in such cases, and see that the county is enrolled with as little disturbance as possible. Keep me fully informed of all important movements, and let me know when you can spare the whole or a part of the force, as it is needed elsewhere.

Very respectfully, your obedienf servant,

JAMES OAKES,
Lieut. Col., U. S. A., and A. A. P. M. G. for Illinois.

M.

OFFICE ACTG. ASST. PROV. MAR. GEN. FOR ILLINOIS,
Springfield, July 15, 1863.

Capt. M. O'KEAN,
Provost-Marshal, Eleventh District, Olney, Ill.:

CAPTAIN: For answer to yours of 11th instant I would respectfully refer you to my letter of 14th instant. Arrange with Captain Phillips as to the time when the force now at his disposal can be placed subject to your orders, and employ it, if necessary, in the arrest of deserters in Franklin County, as well as in the protection of the enrolling officers. Be governed strictly by the instructions already given in my letter of yesterday. Keep me fully advised of the state of affairs in Franklin County.

Very respectfully, your obedient servant,

JAMES OAKES,
Lieut. Col. Fourth U. S. Cav. and A. A. P. M. G. for Illinois.

N.

DUQUOIN, ILL., *July 15, 1863.*

Lieut. Col. JAMES OAKES,
Acting Assistant Provost-Marshal-General:

Can you send me 150 men? I have been mobbed and deserters taken from me. Am here and dare not go home, as mob of some 400 are

guarding all points to take my life. I must have help, keep away from home, or lose my life. Let me hear from you at once.

W. T. INGRAM,
Captain and Deputy Provost-Marshal, Franklin County, Ill.

OFFICE ACTG. ASST. PROV. MAR. GEN. FOR ILLINOIS,
Springfield, July 15, 1863.

Capt. W. T. INGRAM,
Deputy Provost-Marshal, Franklin County, Duquoin, Ill.:

I have no troops to spare to-night. You had better go to Carbondale, where you will find troops to protect you. Telegraph me from there.

JAMES OAKES,
Lieut. Col. Fourth U. S. Cav. and A. A. P. M. G. for Illinois.

O.

PROVOST-MARSHAL'S OFFICE, FIFTH DISTRICT OF ILLINOIS,
Peoria, July 14, 1863.

Col. JAMES OAKES,
Acting Assistant Provost-Marshal-General, Springfield:

COLONEL: At several different periods heretofore I have taken the liberty of suggesting that prudence dictated some preparation for suppressing any attempt to resist the draft or the enrollment in this district. The citizens here claim a population of more than 15,000 in this city. The city government is in the hands of the Irish. Those men here on whom I rely for information say the officers of this city are entirely under the control of the worst class of people in the city. The majority of the men are opposed to the draft. Not a policeman that would lift a finger to quell a riot. Magistrates, judges, and all other officers here owe their elevation to office to the enemies of the Government. Of what use to call on the posse under such circumstances? This office should have a strong force to protect it from mob violence or be removed to some place where human beings have control.

I am, colonel, most respectfully, your obedient servant,

JAS. M. ALLAN,
Captain and Provost-Marshal, Fifth District of Illinois.

P.

PROVOST-MARSHAL'S OFFICE, FIFTH DISTRICT OF ILLINOIS,
Peoria, July 14, 1863.

Col. JAMES OAKES,
Acting Assistant Provost-Marshal-General, Springfield:

COLONEL: Since writing the letter accompanying this three gentlemen, composing a committee appointed by a meeting of twenty of the most respectable citizens of this city, have been in to consult about the dangers which seem to threaten any attempt to draft. They will probably visit Springfield. They want arms.

One hundred well-drilled soldiers would be better than 500 citizens not drilled. The citizens here are evidently much alarmed.

I am, colonel, most respectfully, your obedient servant,

JAS. M. ALLAN,
Captain and Provost-Marshal, Fifth District of Illinois.

Q.

PROVOST-MARSHAL'S OFFICE, SIXTH DISTRICT OF ILLINOIS,
Joliet, July 15, 1863.

Lieutenant-Colonel OAKES,
Actg. Asst. Provost-Marshal-General, Springfield, Ill.:

DEAR SIR: From present indications we are to have serious difficulty in carrying on the draft in this district, and particularly here at Joliet. It being openly avowed by the leader of the copperhead element that such will be the case, and being aware that they are a large majority here, it seems as though there should be a preparation to meet an emergency. I have no doubt but that there will be a resistance here by mob force, from all appearances, and trust that you will furnish us with the means to make a successful resistance from the commencement. It cannot be done too soon. You are doubtless aware that a large proportion of the population of the counties of Will and La Salle are of the malignant kind of copperhead Irish, and therefore if there is a forcible manifestation it will be of considerable magnitude. We are already besieged with threats from all directions, and I am somewhat fearful that they may destroy the office, together with books, papers, &c. Am I allowed the privilege of getting a guard to protect them? Can you furnish men or arms, or both, for the purpose of enforcing the draft? If you cannot do either, can you advise me whether we are to have any or not, so that we may make the best preparation we can for ourselves? I think if we could get arms that we could find men enough to use them in case of necessity. We have been unable to even get side-arms for our guard for deserters, &c., from the fact that there is no one here who will furnish them to the Government.

Most respectfully, your obedient servant,
ABEL LONGWORTH,
Captain and Provost-Marshal, Sixth District of Illinois.

R.

OFFICE ACTG. ASST. PROV. MAR. GEN. FOR ILLINOIS,
Springfield, July 16, 1863.

Capt. JAMES M. ALLAN,
Provost-Marshal, Fifth District, Peoria, Ill.:

CAPTAIN: Yours of 15th received. Exercise all possible care and vigilance in detecting and circumventing the hostile purposes of disloyal persons. The records of your office must be protected at all hazards. I hope that the work may be carried to a successful termination without resorting to the military arm; but the times admonish us to prepare for the worst. Keep me fully advised of the course of events. I will aid and advise you at all times to the best of my knowledge and resources. I have no available force to send you. Will report the state of affairs to the Provost-Marshal-General. Should you at any time consider your headquarters in danger from a mob or riotous violence, and the emergency too pressing to allow of delay, you would be authorized to engage or hire a sufficient number of suitable persons as temporary guard and to purchase needful weapons for their use if not otherwise obtainable. Should arms be purchased for such necessary use you will send the vouchers to the Provost-Marshal-General, as in case of other purchases. It might be well to have an understanding with a suitable number of prudent and reliable men, to be ready to act at the moment of need.

You will understand that these are only precautionary suggestions, to be acted on only in case of extreme need or danger. But the authority of the Government and the requirements of the enrollment act must be sustained and carried out. There should be a guard of well armed and determined men in your office every night to defend your records from fire or pillage. If deemed necessary at any time remove your records to a place of safety. They must on no account be left in peril of destruction. I have no doubt that ample safeguards will be provided before a draft is ordered.

I am, captain, very respectfully, your obedient servant,

JAMES OAKES,

Acting Assistant Provost-Marshal-General for Illinois.

S.

OFFICE ACTG. ASST. PROV. MAR. GEN. FOR ILLINOIS,
Springfield, July 16, 1863.

Capt. ABEL LONGWORTH,
*Provost-Marshal, Sixth District, Joliet, Ill.**

STATE OF MAINE,
HEADQUARTERS ADJUTANT-GENERAL'S OFFICE,
Augusta, July 16, 1863.

Capt. T. C. J. BAILEY,
Seventeenth U. S. Infantry, and
Actg. Asst. Provost-Marshal-General, Augusta:

CAPTAIN: I have the honor to state, for the information of the Provost-Marshal-General's Department, that there are at Portland some six pieces of 6-pounder ordnance, with ammunition and gunners at State arsenal, and some 250 serviceable muskets and rifles there deposited under guard. One company of eighty-two men of State militia have been mustered into service and are constantly on duty there, being fully armed and equipped and furnished with ammunition.

Loyal organizations of a nature somewhat informal, equivalent to 100 infantry, are armed, equipped, and ready for duty in Portland in addition to the foregoing. At Augusta, while there are hundreds of State arms and ammunition therefor, the only reliable force is such convalescent recruits and men awaiting transportation to their regiments as are usually at headquarters, some fifty or seventy-five in number. Damariscotta, Rockland, Bath, Belfast, Castine, Machias, Eastport, Calais, Wiscasset, Biddeford, Kittery, Lewiston, and Norway each have ordnance and gunners and a company of infantry of State militia or its equivalent, with the requisite arms and ammunition. There are also efficient companies at Ellsworth and Dover. Bangor has two superb companies of some 200 men, armed and equipped and ready for active duty at a moment's warning, with an abundance of fixed ammunition. There are two pieces of ordnance at Bangor and two at Brewer (opposite the city), with suitable and sufficient ammunition and experienced gunners. Companies of State guards are in rapid progress at Gouldsborough, Orland, Bucksport, Camden, Booth Bay, Brunswick, Paris, York, and other localities. With the arms deposited in our arsenals by regiments discharged for expiration of enlistment, and ammunition in U. S. arsenal at Augusta for ordnance, smooth-bore and rifled, and for muskets and rifles, if they can be had when required

* Text and signature (here omitted) same as next *ante*.

(that is, before mobs can perfect their work, as in New York), Maine will guarantee to the General Government the full and entire enforcement of the draft without the aid of troops raised for the United States and mustered into its service.

Yours, truly,

JOHN L. HODSDON,
Adjutant-General.

[Indorsement.]

HDQRS. ACTG. ASST. PROV. MAR. GENERAL'S OFFICE,
Augusta, Me., July 16, 1863.

Respectfully referred to the Provost-Marshal-General United States: It is not apprehended that any difficulty will arise in enforcing the draft, and should such difficulty arise it will be seen, by the within report of the adjutant-general of Maine, that there is both sufficient force in the State and sufficient willingness on the part of the State authorities to put it down.

THOS. C. J. BAILEY,
Capt., 17th Infty., Actg. Asst. Prov. Mar. Gen. for Maine.

RENDEZVOUS FOR DRAFTED MEN,
Concord, N. H., July 16, 1863.

ADJUTANT-GENERAL U. S. ARMY:

GENERAL: It is represented to me by the Chief Magistrate and other civil authorities of this State [that] there exists a widespread and organized determination in some parts of the State to resist the enforcement of the draft, and that indications are apparent that it is the purpose of evil-disposed persons to attack the general rendezvous and disarm the permanent party here stationed. There are no military or other organizations within the State upon which the authorities can rely to preserve order and protect the lives and property of the citizens, and I am urged by the Governor to make representations to the proper authority of the necessity for the presence of a sufficient force to protect officers in the execution of the law, and to prevent such outbreaks in this State as have occurred in other States of the Union. The permanent party at this rendezvous consists of eighty-seven, and is ample to protect the depot, I think, in any emergency; but if an outbreak is to occur, as apprehended, there should be ready at command a sufficient force to repress it at once and to effectually protect the officers charged with the execution of the laws.

There is artillery in the State, and a section with light howitzers would be very effective in an emergency. Please lay this before the Honorable Secretary and telegraph instructions immediately.

Most respectfully,

EDWD. W. HINKS,
Brigadier-General, U. S. Volunteers, Commanding.

STATE OF NEW HAMPSHIRE,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Concord, July 16, 1863.

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to acknowledge the receipt yesterday of your telegram of the 13th instant requesting full reports twice a week

of the progress of the draft in this State. I deem it proper to state, in the first place, that great dissatisfaction has been expressed by all parties in this State, in consequence of the draft not being ordered by towns.

The Legislature passed a joint resolution requesting the Governor to appeal to the War Department. The Governor presented the State view of the case in a letter to the Honorable Secretary of War under date of July 10, inclosing therein a copy of the joint resolution of the Legislature.

On the 11th instant Governor Gilmore, Senators Hale and Clark, and Hon. Mr. Rollins met in Boston, and sent a joint telegram to the Honorable Secretary of War upon the subject in issue.

Mr. Stanton answered by telegraph the same day that he would take the matter into consideration when the papers referred to reached him.

On the 13th instant the Governor showed me Mr. Stanton's telegram, and assured me he felt confident the Secretary would grant his request, and that he would get his decision the next day, 14th. The draft was ordered to commence in the First District at 10 a. m. on that day, 14th. After what the Governor had told me of the expected decision of the Honorable Secretary of War, and the representations made to me of the deep feeling in the State upon the subject of drafting by towns, I felt justified in directing the draft to be postponed until the subject was definitely settled. Accordingly, I telegraphed yesterday morning to Captain Godfrey to postpone the draft until 2 p. m. to-day. Yesterday evening I sent him a letter directing him, in case he did not hear from me again before 2 p. m. to-day, to postpone the draft again until 2 p. m. to-morrow, 16th instant.

I did this for the reason that the New York riots might have occupied the Secretary's attention too much to attend to the New Hampshire business, or if he had made his decision it might be delayed by the troubles in New York.

I am aware that I have taken a step which may subject me to censure. I have been placed in a trying position for an officer of the Army, educated and accustomed to obey implicitly the orders of his superiors, but this is a grave subject. Party feeling is very high and bitter in this State. The opposition is formidable in numbers. The Government needs the support of all its friends and cannot afford to do anything to really alienate them; particularly in regard to the raising of armies.

The State authorities, and all parties, oppose the draft by sub-districts.

If it is enforced in that way no cordial support can be expected from the State. Many persons have expressed apprehensions of disturbances. A new ground of complaint will be made against the Administration, which will carry many into the ranks of the opposition.

On the other hand, if the draft is made by towns, although the number of men to be furnished is exactly the same, the State authorities and the friends of the Government generally, will, I am told, co-operate to carry it out faithfully.

I consider this co-operation as exceedingly desirable at this time.

I am, colonel, very respectfully, your obedient servant,

O. A. MACK,

Maj. and Aide-de-Camp, Actg. Asst. Prov. Mar. General.

STATE OF NEW YORK,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Albany, July 16, 1863.

Col. JAMES B. FRY,
Prov. Mar. Gen. United States, Washington, D. C.:

COLONEL: I have the honor to acknowledge the receipt of a telegram from the Provost-Marshal-General directing a report twice each week as to the progress of the draft in the districts of this division, and to state in obedience thereto that the drawing has been completed in the Sixteenth and Seventeenth Districts in a peaceable manner. The orders for the draft in the Thirteenth, Twenty-first, and Twenty-second Districts arrived last night. In the city of Troy the drafting commenced for the Fifteenth District on Tuesday of this week. On the morning of this day I went to the headquarters of the provost-marshal of that district and took with me a sergeant and ten men of the Invalid Corps, whom I placed under the orders of Captain Cooley, of the Eleventh U. S. Infantry, who had been ordered by the War Department to assist Captain Hughes. Everything went on well; nine towns of Washington County were drawn and all that was contemplated to be done that day took place, but in the afternoon evidences of riot began to manifest themselves, and the sheriff of the county, in the absence of the mayor, undertook to provide against it by ordering six companies of a regiment of militia, resident in Troy, to rendezvous in the State armory in that city, only two of such companies, however, responding to the call; not much, if any, over 100 men. I provided the provost-marshal with canister, ammunition, and some grenades and shell procured from Colonel Thornton, of the Watervliet Arsenal, and sent him also from here some 6,000 rounds of musket ammunition, all of which was delivered that night. After accomplishing this drawing of the nine towns, as the marshal had considerable clerical work to accomplish in connection therewith, he suggested that it might be advisable to omit drafting the next day. Believing that the contaminating influence of the riot in the city of New York would doubtless cease with its suppression, which I thought would certainly occur by that day at farthest, I acceded to the suggestion; but on the morning of the next day, although there was no drafting going on, the riot broke out and the mob indulged in a counterpart of the depredations which have been occurring in the city of New York, destroying the office of a certain newspaper, the Troy Times, sacking the building, as well as the house of a prominent citizen, tearing down a colored people's church, releasing prisoners from the jail, &c.

Under this state of things, and the militia being unreliable, and as the city of Albany was on the verge of a riot, I authorized Captain Hughes to give the notice that the draft had been suspended. This, however, did not seem to have the effect of immediately stopping the riot, as many of the depredations took place after the notice had been given, but doubtless before citizens could disseminate it sufficiently to bring it to the understanding of the rioters. To quiet the apprehensions in this city I published also that the draft had been suspended in Troy, and that there was no draft occurring in Albany, as it had not yet been ordered. I resorted to this step, after a full realization of the situation and open conviction that it was the only course to pursue. The Provost-Marshal-General will remember that the government of this State is in the hands of individuals whose party has not

manifested at all times a co-operative interest in the measures of the Administration, and the inflammatory editorials of its journals in this city and State, and the open and vituperative condemnation of such measures by respectable and influential citizens in the hearing of the illiterate, have under the stimulation of designing men given rise to organizations of a secret nature among the myriads of molders and other workingmen, not only in this city and in Troy, but I believe also in every city and village of this State. The draft, of course, has furnished to the leaders the pretext of a potent opposition to the General Government. It is sufficiently apparent throughout the whole of this division that this opposition is deeply seated among the great mass of the people, whose recklessness of consequences is wholly unaccountable excepting upon the suspicion that it rests upon the security of numbers. The Irish as a class are involved in this opposition, and form, as they always do, the sub-structure of the mob, and in neither of these cities are there any other military bodies left than those composed of the Irish, and they are thoroughly unreliable, as conceded by the authorities themselves. The military of this city were under orders from the Governor to proceed to New York on Monday last, but they refused to go, for what reason it is apparent, when it was currently believed that the draft in Troy and Albany was very soon to occur, and that it would take place simultaneously in both cities. These individuals have a place of rendezvous for drill in the State arsenal building, where there are some 4,000 muskets, cannon, and a large amount of ammunition. I have among other things made an effort with such of the State authorities that are left in this city, an acting assistant adjutant-general and an engineer-in-chief, to have this arsenal building properly guarded, and urged that armed citizens of reliability might constitute the guard; but this was objected to by the city authorities, as well, on the ground that it would lead to the very outbreak that we were endeavoring to avoid. The military of Troy is of similar unreliability, whose affiliations there, as here, are with the mob.

There is therefore no military in either of these cities which can be used by me to enforce the draft; in fact, what there is, I am fully satisfied, would be used against me, though if the draft be not attempted I did trust that it might be relied upon at this time to put down a purely vicious mob assembled without a cause and bent on plunder and arson, but the experience in Troy yesterday does not warrant the conclusion. I have received an offer from certain clergymen, in conjunction with a few other citizens, that they will engage to enroll at least 2,000 names to be under my orders if I will furnish them with arms and ammunition. I have 500 muskets and appropriate ammunition. In the event of a riot here I have considered it to be my duty, and desire to be informed whether I am correct, to turn the same over to reliable citizens to assist me in protecting the Government records and property. The arming of these citizens previously to the occurrence of the riot is thought to be unadvisable by the authorities of the city, as stated above, in connection with the defense of the State arsenal. I have, however, some thirty men of the Invalid Corps for the defense of the general rendezvous, into which I have moved the records of my office. I am receiving reports from various provost-marshals of the well-grounded apprehensions of a similar state of things in their districts to that existing here, in Troy, and in New York City, and have induced the State authorities to forward arms and ammunition to such of the marshals as have made requisitions.

In my own judgment, I am free to say, on a mature consideration of the situation of matters in the Northern Division of this State and from a knowledge of the sympathy of the middle classes with the mob, that the draft anywhere within its bounds cannot be enforced without a sufficiency of reliable troops, and that the commencement or renewal of it anywhere in the interior will, prior to the arrival of a suitable force, precipitate a furious riot here and renew that of Troy. I have therefore determined to withhold the orders for the draft in the Thirteenth, Twenty-first, and Twenty-second Districts until further advised. While writing the above the clerk of the Board of Enrollment of the Thirteenth District gives me the following, which I have taken down as repeated:

The Thirteenth District, Captain Fiero, provost-marshal, has removed his papers to a securer place than headquarters. There is an organization of laboring men and others, supposed to be "Knights of the Golden Circle," at Kingston, Saugerties, Wilbur, Eddyville, and Port Ewen, estimated to be in all 2,000 men. The steam-boat Powell, from New York, was forbidden to land at Kingston until a delegation of the mob, some 300 or 400 men, had examined the boat, supposing that cannon was to be landed. At Saugerties Tuesday night 300 men paraded the streets and threatened to burn Mr. Bois' house, who is a powder manufacturer. They were appeased by a gentleman reading to them a forged telegram from Captain Fiero. Besides these coal men there are a large number of quarrymen back from the river towns who are constantly in communication with the other organizations. Spies report that these organizations are armed with Enfield rifles. There is no organization on the part of the Government. Citizens are leaving the place, moving out their effects, &c.

I give you the above as a specimen of what is reaching me. As to this case, I have requested the State to send to Captain Fiero 500 muskets and ammunition and twenty rounds of canister for a 6-pounder gun in the hands of reliable citizens. He states that over 500 of such citizens are enrolled to use these arms. Until Wednesday night I was without mails from Washington from Saturday of last week, and the telegraph operator refused to transmit my telegrams.

FRIDAY, *July 17.*

In the pressure of business requiring so momentarily my personal attention while in the office, and being called so frequently to a distance from it, I was unable to complete this report yesterday. To-day I am in receipt of your telegram directing me to call upon General Canby for force,* which I have done, as will appear from the inclosed copy of a letter to him upon the subject.

I am, sir, very respectfully, your obedient servant,

FREDK. TOWNSEND,

Major Eighteenth U. S. Infty., Actg. Asst. Prov. Mar. Gen.

ALBANY, *July 16, 1863.*

Col. J. B. FRY,

Provost-Marshal-General:

I have sent correct consolidation of class one of the county of Washington heretofore direct to you. Class one of Rensselaer has been also sent direct to you by mail. The correct total of class one in Rensselaer County is 8,515. I have already drafted in nine towns in Washington County on the order, which I return as directed. Draft is now suspended in consequence of a riot in Troy.

CHAS. HUGHES,

Provost-Marshal.

*See p. 518.

WASHINGTON, D. C., *July 16, 1863—8.10 p. m.*

Major TOWNSEND,
Actg. Asst. Provost-Marshal-General, Albany:

Captain Hughes reports draft suspended in Troy on account of riot. Don't try to push the draft there or anywhere else where it is at all opposed until you get force. Apply for force to General Canby in New York City, and represent exactly what the state of the case is to him.

J. B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington, D. C., July 16, 1863.

Major-General COUCH:

You will immediately relieve Major-General Dana from his present duty, and send him to Philadelphia to take command of the forces there for the protection of the public property and the execution of the laws. You will also send to Philadelphia one regiment of infantry to report to General Dana.

Acknowledge the receipt of this telegram and the time it is received, and the hour at which orders are given to General Dana.

EDWIN M. STANTON,
Secretary of War.

HARRISBURG, *July 16, 1863—6 p. m.*
(Received 8.50 p. m.)

Honorable SECRETARY OF WAR:

Your dispatch just received. Dana is ordered in from Greencastle by telegraph to Chambersburg of this hour. I intended to have gone to Philadelphia myself was it not quiet. I have already sent there two regiments of infantry and a battery.

D. N. COUCH,
Major-General, Commanding.

HARRISBURG, *July 16, 1863—8 p. m.*
(Received 9.10 p. m.)

Honorable SECRETARY OF WAR:

Having sent two regiments of infantry to Philadelphia, and arms for 2,500 more, and a battery now en route, I conclude your views are fully met. Colonel Whipple this hour reports all quiet, and will probably remain so.

D. N. COUCH,
Major-General.

WAR DEPARTMENT,
Washington, D. C., July 16, 1863—10.20 p. m.

Adjutant-General THOMAS,
Harrisburg:

Information received this afternoon indicates that a general officer should be in command at Philadelphia to-morrow, as a draft is to be made in a district where disturbance is apprehended. General Dana has been ordered there. You had better go yourself to-night.

Colonel Fry, provost-marshal, was to have gone this evening, but has been taken suddenly ill from over-exertion, and will not be able to go. Answer immediately.

EDWIN M. STANTON.

WAR DEPARTMENT,
Washington, D. C., July 16, 1863—5 p. m.

Colonel BOMFORD,
Provost-Marshal-General, Harrisburg:

Don't let the draft be commenced in any other district in Philadelphia than the one begun yesterday. Send to Colonel Whipple in Philadelphia the available companies of Invalid Corps. Tell Whipple when they will arrive.

J. B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 16, 1863—7 p. m.

Col. W. D. WHIPPLE,
Commanding, Philadelphia:

Two batteries and a regiment of infantry will leave here about 10 to-night to report to you. Have some one at depot to tell them where to go and await orders. Let quartermaster and commissary be prepared to issue to them.

Don't let any notice be given out suspending draft in any district where it may have been ordered, but tell the provost-marshal not to commence until you notify him, and do so when you know these troops have arrived and are available. I don't want to take back anything that has been ordered publicly, but to be ready for anything that may arise. I will be at your office early.

J. B. FRY,
Provost-Marshal-General.

Can't you send tents and fuel to some suitable points in city to camp these men soon after arrival?

PHILADELPHIA, *July 16, 1863.*

Col. J. B. FRY,
Provost-Marshal-General:

Telegram received. Preparations will be made as directed.

WM. D. WHIPPLE,
Lieutenant-Colonel, U. S. Army, Commanding.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 16, 1863—7.20 p. m.

Colonel BOMFORD,
Provost-Marshal-General, Harrisburg:

Don't countermand any orders for draft in Philadelphia which may have become public.

J. B. FRY,
Provost-Marshal-General.

PITTSBURG, *July 16, 1863.*
(Received 9.55 a. m. 17th.)

Hon. E. M. STANTON,
Secretary of War:

Completed draft Saturday; 1,000 report to-morrow; cannot examine all claims for exemption and substitutes offered for days after. Can drafted men deposit $300 with collector, subject to withdrawal if exempted for disability, or their substitutes pass examination and are enlisted? An order to this effect would give general satisfaction.

J. HERON FOSTER.

WAR DEPARTMENT,
Washington City, July 16, 1863—9 p. m.

His Excellency Governor SMITH,
Providence, R. I.:

The disposition proposed in your telegram dated the 14th, just received, in relation to the drafted men of your State, is approved. The colored drafted men are assigned to your colored company of heavy artillery, and you are authorized to turn them over to its commanding officer.

EDWIN M. STANTON,
Secretary of War.

HEADQUARTERS DEPARTMENT OF THE NORTHWEST,
Milwaukee, Wis., July 16, 1863.

Maj. Gen. H. W. HALLECK,
General-in-Chief, Washington, D. C.:

GENERAL: I transmit herewith copies of letters * from the Governor and assistant provost-marshal-general of this State, setting forth in urgent terms the danger of riot in making the draft and the necessity of the presence of a considerable military force in several localities before the drawing of the names is made. The statements in these letters I know to be true, and I am satisfied that the apprehensions expressed are well founded. By careful management the enrollment was made in the several townships without resistance, though in several localities troops are now being used to accomplish the work. I have only four companies of troops in this State, and they belong to a regiment that has never been in the field. The same state of facts obtains in Iowa. Whilst there are troops enough in Minnesota to provide against any such difficulties in that State, I cannot withdraw any portion of them for some time to come without exciting great alarm about Indians.

All the Minnesota regiments also are new regiments that have never been out of the State, and, like the Seventh Iowa Cavalry (as stated to me by the Governor and adjutant-general of that State), cannot be relied upon for services against mobs of the people. Under the circumstances I have the honor to request that at least two of the old regiments from this State and also two from the State of Iowa be sent to this department to recruit, so that they can be present when the draft is made, and, by their presence alone, prevent riot and save bloodshed. A skeleton company of artillery should also be sent with

* Omitted.

each two regiments. Not more than 700 such troops would be required for each State, and probably a couple or three months would be sufficient to effect the object. They can be filled up by these very drafted men and could be sent to the field in September with full ranks; so also with the skeleton artillery companies. The force thus asked I consider absolutely essential, both to suppress disturbances in enforcing the conscription act and to guard the conscripts until they join the regiments in the field.

The withdrawal from the field of two reduced regiments from each, two from this State and two from Iowa, cannot in any degree embarrass the military operations in the South, whilst they may prevent serious riot and much loss of life and destruction of property in these States.

The character and extent of the ignorant Irish and German population of Milwaukee and of the companies of Washington, Dodge, and Ozaukee Counties are plainly set forth in the communication of the provost-marshal, herewith inclosed.

He does not overstate the danger to be apprehended from them, as several very serious riots which they have made in this city and these counties last year and several years since have never been punished, although put down, and a mob here begins with a boldness and confidence not felt elsewhere.

I respectfully submit this statement and application and invite your immediate attention to them.

I am, general, respectfully, your obedient servant,

JNO. POPE,
Major-General, Commanding.

DEPARTMENT OF STATE,
Washington, July 16, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I have the honor to communicate confidentially a transcript of a dispatch of the 6th ultimo addressed to this Department by the U. S. consul at Matamoras, relative to public affairs in that quarter, and to express a hope that the recent triumphs of the arms of the Union on the Mississippi may permit a sufficient military force to be detached for the purpose of occupying and holding at least the lower part of the Rio Grande frontier.

I have the honor to be, your obedient servant,

WM. H. SEWARD.

[Inclosure.]

CONSULATE OF THE UNITED STATES OF AMERICA,
Matamoras, Mexico, June 6, 1863.

Hon. W. H. SEWARD,
Secretary of State:

SIR: As events are now transpiring on this frontier which I deem of great importance to our country, I take the liberty of addressing you unofficially, and giving you a detailed statement of the whole affair as perhaps it would be better than that it should be made public. I will also state here that Dr. M. A. Southworth, the gentleman who will hand you this, is the only person who, besides myself, knows the particulars.

A Spanish officer (Colonel Vila) has been residing in this city for some months, and always expressed himself as strongly in favor of my Government, and also seemed so particularly anxious to become intimate with me that I allowed him to go on, and for a time he occupied a room in my house. A short time ago Generals Miramon, Benavides, Cobos, and two other officers of the Church party, or Reaccionarios, as they are termed, arrived in Brownsville, settled down quietly, and commenced a correspondence with Colonel Vila.

They soon became aware that I had in this city 350 U. S. muskets, with ammunition, which were sent to me from New Orleans, and they immediately commenced laying their plans to get them, and to do this they saw at once that I must be drawn over to their cause, and after several preliminaries the following plan was laid before me: They are quietly organizing a small force on the other side of the river, with which they are to take Brownsville and hoist the Mexican flag, as this would of course make them popular with the Mexicans. They would then cross over and occupy Matamoras. As soon as this was done, Zuloaga, the former head of the party, was to be declared President—Santa Anna to arrive from Jamaica with several thousand stand of arms, backed by a French force who would then cease their operations upon the City of Mexico, and treat with Zuloaga and help him into power. Upon asking what recompense the French would receive for all this, I was answered, after some hesitation, that the State of Sonora would pay them well.

My pay was to be that I should be allowed to hoist the American flag in Fort Brown, they hauling down their own, and delivering the fort and property to any one I might appoint; that all loyal Americans residing in this city should remain undisturbed in their property and free from forced loans. I should also have said that, in addition to the arms, I was to use my influence in sending over a force of 400 armed Mexicans (refugees from Texas) that I have had control over the past year, and have waited for a word from me to go into Texas, and would be glad to get the opportunity, as there are now but 300 rebel soldiers on the Texas frontier.

My own opinion is that Texas and Arizona are to be included in the price paid the French, but I may be mistaken. I shall not consent to anything as far as I am concerned, and although this may delay them for a time, still, I have no doubt but that they will succeed, and probably will have commenced before this letter reaches you. They have communication with a French frigate in this harbor, and also with the French army at Puebla. They have a large force ready on the west side of the Sierra Madre, and all their plans have been laid by a man of more than ordinary ability. Their great drawback is the want of arms to make a beginning, as they could not import them through this port nor into Texas.

I shall remain on friendly terms with either side if possible, and will inform you of the progress of affairs. After they work out their own plans, if they desire the American flag in Fort Brown it can be placed there, and when once there I think it can be sustained.

I should write to Mr. Corwin, but most of our mails to and from the capital are interrupted.

I am, sir, very respectfully, your obedient servant,

L. PIERCE, JR.,
U. S. Consul.

GENERAL ORDERS No. 223. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, July 17, 1863.*

To facilitate the organization of the Signal Corps, War Department General Orders, No. 106, of 1863, will be modified as follows:

The Signal Officer of the Army will immediately detach five officers of the grade of captain from those that have already been examined and approved and order them to report in person at the headquarters of the Departments of North Carolina, of the South, of the Gulf, of the Cumberland, and of the Tennessee, respectively.

On the arrival of these officers at the headquarters to which they are assigned the commander of the department will immediately assemble an examining board of not less than three nor more than five members, of which the signal officer assigned above and a medical officer shall be members, for the examination of the acting signal officers serving in the department, and such other persons as may be properly brought before it as candidates for appointment in the Signal Corps. The examination will be conducted as prescribed in the General Orders, No. 106, above cited, and weekly reports of the proceedings of each board will be made, through the Signal Officer of the Army, to the Secretary of War; and at the conclusion of the examination a special report exhibiting the relative standing of each officer in the grade to which he has been recommended will be made to the Central Board in this city.

The examining boards will hold their sessions at such times and places as may enable them most promptly to discharge their duties. Officers of the acting signal corps will be examined in such order as the interests of the service will permit.

Applications to appear before the boards must be made in writing, and no application will be considered unless by the special authority of the Secretary of War, or, in the case of acting signal officers, it is with the approval of the colonel commanding the corps.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR No. 47. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., July 17, 1863.*

I. Drafted men become soldiers in the service of the United States by the fact of their names having been drawn in the draft. The notification, served upon them by the provost-marshal, is merely an announcement of the fact, and an order for them to report for duty at a designated time and place.

II. The following opinion of the Hon. William Whiting, Solicitor of the War Department, is published for the information of all concerned:

When a person has been drafted, in pursuance of the enrollment act of March 3, 1863, notice of such draft must be served within ten days thereafter by a written or printed notice, to be served on him personally or by leaving a copy at his last place of residence, requiring him to appear at a designated rendezvous to report for duty. Any person failing to report for duty after notice left at his last place of residence, or served on him personally, without furnishing a substitute or paying $300, is pronounced by law to be a deserter. He may be arrested and held for trial by court-martial and sentenced to death.

If a person after being drafted and before receiving notice deserts, the notice may still be served by leaving it at his last place of residence, and if he does not appear in accordance with the notice or furnish the substitute or pay the $300, he will be in law a deserter, and must be treated accordingly. There is no way or

manner in which a person once "enrolled" can escape his public duties, and when drafted, whether present or absent, whether he changes his residence or absconds, the rights of the United States against him are secured, and it is only by performance of his duty to the country that he will escape liability to be treated as a criminal.

WILLIAM WHITING,
Solicitor of the War Department.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR } WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
No. 48. } *Washington, D. C., July 17, 1863.*

The operations of the draft lately ordered in the New England and Middle States, though in most instances completed or now in progress without opposition, have in one or two cities been temporarily interrupted.

Provost-marshals are informed that no orders have been issued countermanding the draft. Adequate force has been ordered by the Government to the points where the proceedings have been interrupted.

Provost-marshals will be sustained by the military forces of the country in enforcing the draft, in accordance with the laws of the United States, and will proceed to execute the orders heretofore given for draft, as rapidly as shall be practicable, by aid of the military forces ordered to co-operate with and protect them.

JAMES B. FRY,
Provost-Marshal-General.

CONFIDENTIAL.] PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 17, 1863.

Capt. T. C. J. BAILEY,
Actg. Asst. Prov. Mar. Gen. of Maine, Augusta, Me.:

See that provost-marshals strictly carry out the provisions of section 12, enrollment act, requiring notification to be served on drafted men within ten days from draft.

JAMES B. FRY,
Provost-Marshal-General.

(Same to Brig. Gen. T. G. Pitcher, Vermont; Maj. Oscar A. Mack, New Hampshire; Capt. Hiram Dryer, Massachusetts; Maj. D. D. Perkins, Connecticut; Capt. William Silvey, Rhode Island; Maj. Frederick Townsend, Albany, N. Y.; Col. Robert Nugent, New York City; Maj. A. S. Diven, Elmira, N. Y.; Lieut. Col. J. V. Bomford, Pennsylvania.)

WAR DEPARTMENT,
Washington City, July 17, 1863.

His Excellency Governor BUCKINGHAM,
Norwich, Conn.:

The persons drafted can be detailed for the special service you suggest as long as such service is required. The Department will be happy to comply with any suggestions you may make toward giving security to the public property and preserving peace in your State.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., July 17, 1863.

His Excellency Governor KIRKWOOD,
Iowa City (via Davenport):

The draft will be enforced in New York City. You need entertain no apprehensions of compromising or half-way measures.

EDWIN M. STANTON,
Secretary of War.

AUGUSTA, ME., *July 17, 1863.*

Hon. E. M. STANTON:

If the draft is successfully resisted in this State you will have the satisfaction of knowing that it is because I can obtain no ammunition for our State ordnance from Government arsenal until after the exigency has passed and troops then formally mustered into service. See correspondence with General Ripley.

JNO. L. HODSDON,
Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Saint Louis, July 17, 1863.

Hon. E. M. STANTON,
Secretary of War:

The State of Missouri having adopted an ordinance of emancipation, the civil tribunals being in operation in the greater part of the State, the Federal courts never having suspended their functions, and the President's proclamation of freedom never having been extended in Missouri, some questions arise as to the powers and duties of the military authorities in this department so far as they affect the people of Missouri, and I would be pleased to have your views and instructions in regard to them, and particularly as to what authority, if any, the military may assume in respect to the slaves of loyal men, and also in respect to negroes made free by operation of the several acts of Congress.

First. Are the military authorities to determine the question of freedom or slavery under the provisions of acts of August 6, 1861, and of July 17, 1862, and to give certificates of freedom to the slaves of disloyal persons? The fourteenth section of the act of July 17, 1862, provides that—

> The courts of the United States shall have full power to institute proceedings, make orders and decrees, issue process, and do all other things necessary to carry this act into effect.

The sixteenth section provides that–

> * * * No person engaged in the military or naval service of the United States shall, under any pretense whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or to surrender up any such person to the claimant, on pain of being dismissed from the service.

This last clause, though general in its terms, would seem from the context to refer to cases of fugitive slaves escaping from one State to another.

The new Article of War, adopted by act of March 13, 1862, forbids the use of any military force to return fugitives from labor under penalty of dismissal from the service.

The question arises whether in a loyal State, or at least those parts of it where the civil tribunals perform their regular functions, the whole matter is to be left subject to their jurisdiction, or whether the military may interfere and undertake to execute the provisions of the acts of Congress in this respect.

You are aware, perhaps, that the President has required the Attorney-General to prepare instructions to the marshals and district attorneys to institute proceedings under the act of July 17, 1862, but nothing is said about slaves.

It is very clear to my mind that those persons declared free by the fourth section of the act of August 6, 1861, and by the ninth section of the act of July 17, 1862, are free by the operation of the law and the disloyal acts of their owners, and that no judicial decree is necessary to perfect their freedom. Is it any part of the duty of the military authorities to furnish evidence of such freedom, or must they be left to plead the acts either in suit for freedom or in defense against the person claiming their service or labor?

These questions, of course, do not apply to the proclamation of the President of January 1, 1863. Under that proclamation the military and naval authorities are expressly required to enforce its provisions and to give protection to the persons liberated by it.

Second. Another question arises as to how far the military authorities, under the terms of the Article of War of March 13, 1862, may protect a civil officer from violence if he undertakes to arrest a fugitive from labor when found in a military camp, either on account of any criminal offense committed by such fugitive or because his service or labor is claimed by the person who serves out the writ.

In the present condition of affairs in Missouri it is important to have the views of the head of the Department on these subjects, as I do not desire to contravene the policy of the Government, or to do anything which may create any unnecessary disturbance in the public mind or prevent the restoration of peace in Missouri.

Military authority is still needed in this State, for although there is no enemy in force within its borders, the disorder necessarily resulting from a state of war still in many parts of the State require something stronger than the civil arm to repress them.*

I have the honor to be, very respectfully, your obedient servant,

J. M. SCHOFIELD,
Major-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, July 17, 1863.

Maj. O. A. MACK,
Actg. Asst. Provost-Marshal-General, Concord, N. H.:

The questions presented to the Legislature and Governor of New Hampshire have been submitted to Solicitor of War Department. The draft must not proceed in New Hampshire till his answer is received.

JAMES B. FRY,
Provost-Marshal-General.

(Same to Governor Gilmore, Concord, N. H.)

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* For opinion of the Judge-Advocate-General on the subject of this communication, see Series II, Vol. VI, pp. 209–211.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 17, 1863—4.20 p. m.

Maj. A. S. DIVEN,
Actg. Asst. Prov. Mar. Gen., Western Div. of N. Y., Elmira, N. Y.:

Captain Livingston telegraphs to the Adjutant-General that there is good reason to expect a riot in Elmira in enforcing the draft. I, of course, look to you for information on that point. I do not, however, want you to undertake the draft where it is at all likely to be interrupted until you have force to put it through.

JAMES B. FRY,
Provost-Marshal-General.

STATE OF NEW YORK, NORTHERN DIVISION,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Albany, July 17, 1863.

Brigadier-General CANBY,
New York City:

GENERAL: I am authorized by the Provost-Marshal-General to apply to you for force to aid me in the discharge of my duties as acting assistant provost-marshal-general for the Northern Division of New York.

A draft was sought to be enforced on Tuesday of this week in the city of Troy for the Fifteenth Congressional District, which led to a serious riot, and this city, in anticipation of the draft, which has not been ordered here, is on the verge of an outbreak of a nature similar to that occurring in the city of New York.

That portion of the militia remaining in both of these cities is utterly unreliable, having affiliations and sympathy with the rioters, who are organized in formidable proportions, and either armed or having arms readily accessible.

The State arsenal here, with 4,000 small-arms and a number of cannon, with large amounts of ammunition, is in the charge of this unreliable militia, though at the moment there are also there 450 reliable soldiers from Rochester, under Colonel Marshall, on their way to the city of New York. I have to report that a force of 1,000 men and a section of a battery are immediately needed to protect the Government records and property here and in Troy now under charge of the officials of the Provost-Marshal-General's Bureau.

Very nearly the same state of things exists in each of the districts under my charge.

The drafting has, by authority, been temporarily suspended, and when commenced again anywhere in the division a larger force than even as above required will be necessary.

I am, sir, very respectfully, &c.,

FREDK. TOWNSEND,
Major, U. S. Army, Actg. Asst. Provost-Marshal-General.

[First indorsement.]

HEADQUARTERS, *July 21, 1863.*

Respectfully submitted.

The total force under my control in the harbor and city of New York is 3,101.

All the forts in the harbor are inadequately guarded and the troops in the city are employed in guarding public property, which is so

located that the number cannot be reduced at present. The force asked for by Major Townsend cannot, in my judgment, be spared at present.

ED. R. S. CANBY,
Brigadier-General, Commanding.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, July 22, 1863.

Respectfully forwarded, with reference to indorsement of Brigadier-General Canby.

By command of Major-General Dix:

D. T. VAN BUREN,
Assistant Adjutant-General.

[Third indorsement.]

STATE OF NEW YORK, NORTHERN DIVISION,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Albany, July 23, 1863.

The indorsements on the within respectfully referred for the attention of the Provost-Marshal-General's Office.

FREDK. TOWNSEND,
Major, U. S. Army, Actg. Asst. Provost-Marshal-General.

STATE OF NEW YORK, NORTHERN DIVISION,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Albany, July 17, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor herewith to transmit communication from Capt. J. P. Richardson, provost-marshal of Twenty-first District, in regard to the condition and situation of affairs in his district.

I am, sir, very respectfully, &c.,

FREDK. TOWNSEND,
Major Eighteenth Infantry, Actg. Asst. Prov. Mar. Gen.

[Inclosure.]

OFFICE PROVOST-MARSHAL,
TWENTY-FIRST CONG. DIST., STATE OF NEW YORK,
Utica, July 16, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: I deem it to be my duty in view of recent events to apprise the department of the condition and situation of matters in this district.

No order for a draft has yet been received at these headquarters.

If an order for this purpose is to be made now, or at a period more remote, it will not be safe to proceed without we are furnished with an adequate force of troops fully armed and equipped.

I do not magnify the excitement existing here when I inform you that a very large portion of the population, composed of the working and lower classes, including of course nearly all of the Irish and German element, are aroused to a dangerous degree in opposition to the conscription law.

It is not to be doubted that there are many men in the district in the higher walks of life who secretly aid and abet the ignorant and designing persons who are combined against the laws.

We are informed that meetings are held almost nightly in this city, some open, others secret; and there is no doubt of a desperate and powerful organization in opposition to the draft.

Added to all these evils is the ascertained fact that our local militia are not to be relied on in an emergency to aid this department in the performance of its duty in carrying out and upholding the conscription.

Several of the companies of the militia are composed wholly of foreigners and are known to be hostile, and would without doubt act against the public authorities.

I have placed myself in communication with the civil authorities, and after careful and vigilant consultation with them and with prominent loyal citizens, I have come to the conclusion that the combination against the law will be and is too strong to be successfully resisted by the means and forces now in my hands.

I therefore submit the department that, whenever the draft is ordered to be enforced in this district, the order should be accompanied with a strong military force—and I do not think 500 troops would be too many—in order that the laws may be surely enforced and peace and public order maintained.

As to the propriety of postponing the draft here until good order is restored, I presume you are already well informed, and I need not intrude any opinion of mine upon your time and attention.

You may rest assured the duty assigned me will be faithfully and energetically performed.

I have the honor to be, yours, very respectfully,

J. P. RICHARDSON,

Capt. and Prov. Mar., Twenty-first District of New York.

STATE OF NEW YORK, NORTHERN DIVISION,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Albany, July 17, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor of transmitting herewith a communication received at this office from the provost-marshal of the Tenth District relative to the existing state of affairs in his vicinity, and stating that the business of his office had been suspended and the papers and property of the Government removed to a place of security against a mob.

I am, sir, very respectfully, &c.,

FREDK. TOWNSEND,

Major, U. S. Army, Actg. Asst. Provost-Marshal-General.

[Inclosure.]

HEADQUARTERS PROVOST-MARSHAL, TENTH DISTRICT,
Tarrytown, N. Y., July 16, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I have the honor to inform you that after consultation with the leading influential citizens of this place, and after mature

deliberation upon my own part, I have concluded to remove the Government property now at these headquarters, consisting of clothing and equipments, &c., to Fort Lafayette.

A sufficient force cannot be organized to protect the property. In fact the proceedings of the mob having no other object than plunder, the citizens who volunteered for the defense of the office will be compelled to defend their own homes.

The books and papers of the station have been removed to a place of safety in the interior of the county and all business has been entirely suspended.

I have also to state that, from present indications and from information upon which I fully rely, the business of this district relative to drafting cannot under existing circumstances be successfully prosecuted without a regiment of disciplined men.

I have thought it my duty to act in the premises after this manner, as by such measures alone could the property intrusted to my care be preserved.

The office will still be maintained at these headquarters, where I shall be ready to respond to any orders or suggestions which, in your judgment, the emergency requires.

Very respectfully, your obedient servant,

MOSES G. LEONARD,
Captain and Provost-Marshal, Tenth District of New York.

With the exception of six sub-districts the enrollment of the district is complete.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Elmira, N. Y., July 17, 1863.

Col. JAMES B. FRY:

DEAR SIR: I inclose a slip from the New York Times of yesterday. This may be an ingenious way of arranging Governor Seymour's letter with Major Nugent's. The inference is rather too fair that the Government may have yielded to Governor Seymour's advice and that the Governor is to be allowed to supply "its full quota by volunteering." If New York is excused from the draft the rest of the State will claim the same exemption, and if New York is exempt, of course other States will claim as much. In other words, if the mob conquers in New York it will at least try as much throughout the land.

I am, very truly, your obedient servant,

A. S. DIVEN,
Actg. Asst. Prov. Mar. Gen., Western Division of New York.

[Inclosure.]

NEW YORK, *July 15, 1863.*

Hon. SAMUEL SLOAN,
President of the Hudson River Railroad Company, New York:

MY DEAR SIR: I have received your note about the draft. On Saturday last I sent my adjutant-general to Washington for the purpose of urging a suspension of the draft, for I know that the city of New York can furnish its full quota by volunteering. I have received a dispatch from General Sprague that the draft is suspended. There is no doubt that the conscription is postponed. I learn this from a number of sources. If I get any information of a change of policy at Washington I will let you know.

Yours, truly,

HORATIO SEYMOUR.

The conjectures of the Governor contained in the above, as to the postponement of the draft, were confirmed yesterday by the following note received from Assistant Provost-Marshal Nugent:

THE DRAFT.

NEW YORK, *July 15, 1863.*

The draft has been suspended in New York City and Brooklyn.

ROBERT NUGENT,
Colonel and Assistant Provost-Marshal-General.

[Indorsement.]

He will have seen before this from Circular No. 48 that the thought of giving up the draft in New York has never been entertained for a moment.

H[ENRY] S[TONE].

PROVOST-MARSHAL'S OFFICE,
SIXTEENTH CONGRESSIONAL DISTRICT OF NEW YORK,
Plattsburg, July 17, 1863.

Maj. FREDERICK TOWNSEND,
Acting Assistant Provost-Marshal-General:

SIR: I have seen in the newspapers a circular, purporting to be No. 44, from the Provost-Marshal-General's Office, but have not yet received this circular. As it is regarded here as extremely unjust and calculated to make mischief, I have not yet acted upon it, preferring to wait until I get the circular officially. The questions referred to have been discussed by the most prominent lawyers of this part of the country, including Hon. Orlando Kellogg, M. C., Judge Beckwith, and others, whose loyalty cannot be doubted. Their opinion is that a man should be permitted to know that he is liable to a draft before the commutation money or substitute is demanded. If this order, or Circular No. 44, is carried out, it will, in my opinion, disgust the true friends of the Administration and give the copperheads an opportunity of claiming popular sympathy. The majority, in fact almost all the drafted men that present themselves, are exempt. Those who will be held will not present themselves until the ten days have expired. There will then be a great number of persons in this town and means must be taken to preserve order. There are fifty muskets at the barracks, but no ammunition. Ammunition should be sent here immediately. No violence of a serious character has occurred in this district, except that in Glens Falls the enrolling officer has been unable to serve the notices to drafted men among the Irish population. Threats are made that my house will be burned, &c. Colonel Colvin, of the Thirty-first Regiment Militia, resides in Glens Falls; he reports no ammunition. I should like to hear from your office whether I am to be supplied with ammunition to enforce the draft among the men whom Governor Seymour is said to call "his friends."

Of course, without a force is at my disposal capable of putting down opposition it will be a work of great difficulty.

I am, sir, very respectfully, your obedient servant,

GEORGE CLENDON, JR.,
Provost-Marshal, Sixteenth District of New York.

[Indorsement.]

NORTHERN DIVISION OF NEW YORK,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Albany, July 18, 1863.

Respectfully referred for the information of the Provost-Marshal-General.

The within views have been freely expressed in this city. I cannot send ammunition, unless I do as I did in the case of the Troy riot, send ammunition from what I have on hand for Invalid Corps. The circular referred to was delayed in arrival here by New York riot. It has arrived at his headquarters by this time.

FREDK. TOWNSEND,
Major, U. S. Army, Actg. Asst. Provost-Marshal-General.

PHILADELPHIA, PA., *July 17, 1863—10 a. m.*
(Received 10.50 a. m.)

Hon. E. M. STANTON,
Secretary of War:

Have arrived and had an interview with Colonel Whipple, whose arrangements seem to be very proper. The arsenals are provided with adequate guards. The entire force will consist of five regiments of infantry, three batteries of artillery, one company of cavalry; also Union Battery of this city, with four mountain howitzers. This force, with the city police, will be ample. The draft is going on quietly. In one of the enrollment districts of the Fourth Congressional District, Judge Kelley's district, the crowd is large. I will now see the mayor.

L. THOMAS,
Adjutant-General.

HARRISBURG, *July 17, 1863.*
(Received 8.35 p. m.)

Hon. E. M. STANTON:

On the 15th in my absence, but by my direction, a telegram* was sent you in reference to the payment of the militia of Pennsylvania now in service. I will be much obliged if you will refer to the dispatch and answer. I regard it as of great importance to the Government that the men be paid promptly. I would order payment if we had any fund for that purpose, and do not know how they can be paid by the State without a call of the Legislature. If possible, I will be pleased to hear from you to-night.

A. G. CURTIN.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 17, 1863.

Col. W. D. WHIPPLE,
Commanding in Philadelphia:

I did not get off last night. Have the batteries and regiments from here reached you? Don't commence draft in any new district until

*See Series I, Vol. XXVII, Part III, p. 707.

you have these troops in hand. The Government considers these precautionary measures absolutely necessary. See that Laidley, at Frankford Arsenal, is prepared in case of trouble. The Fairmount district is said to be a bad one. Please answer at once.

JAMES B. FRY,
Provost-Marshal-General.

PHILADELPHIA, *July 17, 1863.*

Col. J. B. FRY,
Provost-Marshal-General:

The troops from Washington have not arrived. Draft is going on quietly in one district. No drafting after to-day until Monday. Adjutant-General Thomas is here.

WM. D. WHIPPLE,
Lieutenant-Colonel, Commanding.

PHILADELPHIA, *July 17, 1863.*
(Received 8.40 p. m.)

Col. J. B. FRY,
Provost-Marshal-General:

The regiment of infantry and two batteries of artillery furnished by you have not yet arrived.

W. D. WHIPPLE,
Lieutenant-Colonel, U. S. Army, Commanding.

PHILADELPHIA, *July 17, 1863.*
(Received 10 p. m.)

Col. J. B. FRY:

Have received notice that batteries will arrive per 1 a. m. train.

WM. D. WHIPPLE,
Lieutenant-Colonel, U. S. Army, Commanding.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 17, 1863.

Capt. J. HERON FOSTER,
Provost-Marshal, Pittsburg, Pa.:

The drafted men may, if they desire it, deposit $300 with collector of internal revenue, subject to withdrawal if exempted by the Board, or their substitutes pass examination and are enlisted.

JAMES B. FRY,
Provost-Marshal-General.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Milwaukee, Wis., July 17, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: It is the general belief of many reliable citizens of this city that when the draft is commenced here it will be absolutely necessary to have a military force present to prevent riot and bloodshed.

If I can have notice a week at least in advance of making public the order for drafting, General Pope suggests that steps can be taken to prevent riot in the dangerous localities. The original, of which the inclosed letter is a copy, from the provost-marshal of the First District was referred yesterday to General Pope. In indorsing that letter I was under the impression that it was proposed to remove the office to Racine. In that I find I was mistaken. Probably that impression was made from the conversation with Captain Tillapaugh and Judge Barnes on the subject.

I am, colonel, very respectfully, your obedient servant,

CHAS. S. LOVELL,

Lieutenant-Colonel Eighteenth Infantry,

Acting Assistant Provost-Marshal-General for Wisconsin.

[Indorsement.]

Tell him to inform General Pope that I will give them due notice that the orders for draft will be sent to him to be executed in consultation with General Pope.

J. B. F.

[Inclosure.]

PROV. MAR.'S OFFICE, FIRST DISTRICT OF WISCONSIN,

Milwaukee, July 14, 1863.

Lieut. Col. CHARLES S. LOVELL,

Provost-Marshal-General for Wisconsin:

COLONEL: This Congressional district comprises five counties, four of which are, beyond a doubt, loyal, viz, Racine, Kenosha, Walworth, and Waukesha; and this city is disloyal beyond a doubt, and in our judgment one of the most disloyal cities to be found, and our object in this communication is to most respectfully, but earnestly, ask either, that so far as the city of Milwaukee is concerned, we be authorized to temporarily change our headquarters for such length of time as shall be necessary to make the draft for this city and the towns of Mukwonago and Menomonee, in Waukesha County. This we think would avoid any disturbance here. If this permission cannot be given, then we ask that prior to commencing the draft a sufficient military force be provided to protect the office, the enrollment list, the officers, and employés connected with this office. The population of this city is about 65,000. Of this number two-thirds are foreigners, and a very large proportion of which is and always has been opposed to the war and the Government; and by political leaders their feelings and passions have been aroused to such a pitch that we have not one particle of doubt that so soon as the draft is commenced, and perhaps before, there will be a mob that can only be put down by a strong military force; and unless that force is provided for in advance the enrollment and records will be destroyed. We are in possession of evidence that satisfies us, beyond the possibility of doubt, that there are organizations now in this city with plans matured, and that at a given signal the mob will break forth in all its fury. We could and, if the Department desires it, will give facts and reasons for all we state. We have to-day been called upon by other parties occupying apartments in this block, soliciting us to remove the provost-marshal's office from this block to avoid the destruction of their property. While we believe we are not particu-

larly timid, at the same time we believe that it would be recklessness and foolhardiness to attempt a draft in this city without protection.

Respectfully,

J. M. TILLAPAUGH,
Provost-Marshal.
A. H. BARNES,
Member of Board of Enrollment.

[Indorsement.]

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Milwaukee, Wis., July 16, 1863.

Respectfully referred to the commanding general of the Department of the Northwest.

Fully concurring with the views of the Board of Enrollment, except to that part which recommends the removal of the office to Racine during the time of drafting in the city of Milwaukee, Wis.

CHAS. S. LOVELL,
Lieutenant-Colonel Eighteenth Infantry,
Acting Assistant Provost-Marshal-General for Wisconsin.

CIRCULAR No. 51. WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, D. C., July 18, 1863.

The fourth paragraph of Circular No. 44, issued from this office July 12, 1863, is hereby modified so as to correspond with the following opinion of the Hon. William Whiting, Solicitor of the War Department, which will hereafter govern in all cases in which it is applicable:

OPINION.

A person drafted into the military service of the United States under the provisions of the act of March 3, 1863, chapter 75, for "enrolling and calling out the national forces, and for other purposes," claiming exemption from draft by reason of any disability as provided in said act, has the right to have the question of his disability submitted to and passed upon by the Board of Enrollment, whose decision thereon is final. If the Board shall have decided that the claimant is liable to serve, he has the right, after such decision against him, to pay his commutation money, or to furnish his substitute, within such extended time as may be fixed by the order of the Board of Enrollment for his appearance for duty.

WILLIAM WHITING,
Solicitor of the War Department.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 52. WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, D. C., July 18, 1863.

The following opinion of Hon. William Whiting, Solicitor of the War Department, is published for the information and guidance of all concerned:

OPINION.

Indians and half-breeds are not citizens of the United States, within the meaning of the enrollment act, unless they have been made citizens by act of Congress, as was the case with the Stockbridge tribe of Indians (See V, Statutes at Large, p. 647); or by treaty, as was the case with "Dancing Rabbit Creek Treaty," by which Choctaws might become citizens (Article XIV); or by naturalization under some law of Congress.

Unless Indians come within some of these exceptions they should not be enrolled in the forces of the United States. (See Opinions of Attorney-General, Vol. VII, p. 750.)

WILLIAM WHITING,
Solicitor of the War Department.

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 18, 1863.

Capt. T. C. J. BAILEY,
Actg. Asst. Prov. Mar. Gen. for Maine, Augusta, Me.:

Make daily reports by telegraph of the condition and progress of the draft in the several districts.

JAMES B. FRY,
Provost-Marshal-General.

(Same to Brig. Gen. T. G. Pitcher, Vermont; Maj. Oscar A. Mack, New Hampshire; Maj. Hiram Dryer, Massachusetts; Maj. D. D. Perkins, Connecticut; Capt. William Silvey, Rhode Island; Maj. Frederick Townsend, Albany, N. Y.; Col. Robert Nugent, New York City, N. Y.; Maj. A. S. Diven, Elmira, N. Y.; Lieut. Col. J. V. Bomford, Pennsylvania.)

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 18, 1863.

His Excellency WILLIAM A. BUCKINGHAM,
Governor of Connecticut, Hartford, Conn.:

SIR: I have the honor to acknowledge receipt of your communication of the 13th instant by Hon. Henry Hammond, requesting that some means be adopted by which towns shall be credited in the present draft with the number of volunteers provided by them prior to the draft. The enrollment act only provides that in assigning to districts the number of men to be furnished therefrom the President shall take into consideration the number of volunteers and militia furnished by and from the several States. The matter referred to in Your Excellency's letter has, however, received much consideration from the Solicitor of the War Department and myself, and is now under deliberation. The records of the War Department do not furnish any data by which such an assignment of quotas as you suggest can be made. If, however, any plan can be devised, either in this or any subsequent draft, by which towns can be relieved of the hardships complained of, the necessary steps for carrying out your wishes will be promptly taken.

I am sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

AUGUSTA, ME., *July 18, 1863.*

Hon. E. M. STANTON,
Secretary of War:

Am organizing numerous companies of State guards, composed exclusively of men of active loyalty. Please authorize the issue of

1,000 Enfield rifles and 50,000 cartridges from Augusta Arsenal, without which we cannot arm.

J. L. HODSDON,
Adjutant-General.

BOSTON, *July 18, 1863.*

Hon. E. M. STANTON,
Secretary of War:

I respectfully ask that you authorize me to enlist Massachusetts conscripted men at their pleasure as volunteers into any of the Massachusetts three-years' organizations existing or authorized. This will enable me to pay such volunteers $50 State bounty each, from which they as mere conscripts would otherwise be excluded. What you want is the men, and if the payment of this State bounty will increase their willingness for service, as undoubtedly it will, it makes no difference to you whether they call themselves volunteers after being drafted, and it does make some to them.

JOHN A. ANDREW,
Governor.

BOSTON, MASS, *July 18, 1863.*
(Received 1.30 p. m.)

Hon. EDWIN M. STANTON,
Secretary of War:

The decision that a man not exempted by a surgeon cannot pay $300 will not do. It is unjust, unnecessary, inexpedient, and is making serious difficulty with good men. Reverse that and you will then have full support in stern enforcement. I find but one opinion. Abandon harsh construction of a hard law and then put it through.

HORATIO WOODMAN.

In regard to the resolutions of the Legislature of New Hampshire relative to the draft.

OPINION.

WAR DEPARTMENT,
Washington, D. C., July 18, 1863.

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: The communication of Governor Gilmore of the 10th instant, inclosing resolutions of the Legislature of New Hampshire relative to the draft about to take place, referred to me, has had my consideration. Congress endeavored in the act of the last session, providing for calling out the national forces, to equalize the draft by directing the President to take into consideration, in assigning to each district its quota, the number of volunteers and militia already furnished from the State, and so to make the assignment as to equalize the number among the districts of the several States, but it made no provision for effecting an equalization among the towns of a State. The War Department has, therefore, no power to remedy the injustice set forth in your letter and in the resolution inclosed.

I would further suggest that the injustice does not arise from the legislation of Congress, but from the action of the people in the delinquent towns, and the just complaints of the towns which have done their duty should not be made against the Government of the United States, but against their delinquent neighbors. May it not be within the power of State Legislature to furnish the remedy by providing that the towns which are delinquent should furnish their just proportion as substitutes for a like number of those drafted from towns which have done their duty? This suggestion may be entitled to consideration by Governor Gilmore, and in case such an arrangement should be undertaken by the State the Provost-Marshal-General might issue orders to have the draft suspended, in order that the equalization might be carried into effect.

Very respectfully, your obedient servant,

WILLIAM WHITING,
Solicitor of the War Department.

CONCORD, *July 18, 1863—8 p. m.*

Colonel FRY,
Provost-Marshal-General:

Your telegrams of yesterday and to-day have been received. Draft in this State not commenced. There has been some disturbance in Portsmouth, but all is quiet there now. Have reported to-day by letter.

O. A. MACK,
Major and Aide-de-Camp.

STATE OF NEW YORK, NORTHERN DIVISION,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Albany, July 18, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to report that since the date of my report of the 16th instant nothing has been done in the matter of draft. The drawing in Troy is still suspended, and cannot be resumed until a force in the service of the General Government shall arrive. As soon as it shall be resumed in Troy a riot will certainly occur here, only six miles away, and a force of similar numbers will be required in this city.

I beg to assure the Provost-Marshal-General of the intense hostility to the draft which exists in both of these cities, and that I am certain that nothing can be done here without ample force. Since the disturbances in New York and Troy I have received telegrams and letters from the provost-marshals requesting arms and ammunition to be sent to them to be put into the hands of citizens, and in many instances for troops. With troops the draft can be enforced; otherwise not. As the Provost-Marshal-General is aware from my communication of the 16th instant, I have made a requisition upon General Canby for two infantry [regiments] and a section of a battery. One thousand more infantry should be added to this force, together

with another section of artillery, to begin with, on the resumption of the draft in Troy.

If the State authorities co-operate I think this force is sufficient. There should also be a guard of a company at the headquarters of each of the provost-marshals of the districts in which the draft is not occurring. I would respectfully suggest that the draft be put through forcibly and in a memorable manner in New York, Albany, and Troy before it be attempted anywhere else in this division.

I am, sir, very respectfully, &c.,

FREDK. TOWNSEND,

Major Eighteenth Infantry, Actg. Asst. Pro. Mar. Gen.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
SOUTHERN DIVISION OF NEW YORK,
New York, July 18, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: In reply to your telegram of this date, in relation to the execution of the provisions of section 12, enrollment act, &c., I beg to say: That in the Ninth Congressional District about 1,300 names were drawn previous to the destruction of the premises of the provost-marshal by the mob on Monday, and in the Eighth a few over 200. The ballots and papers of the marshal of the Ninth were put in an iron safe, which is still under the ruins of the building, and owing to its being in the midst of the riotous district I have been unable to get the safe out. On the reception of your telegram I applied to Brigadier-General Canby for a force to escort the marshal and his officers to the burned premises and protect them in the removal of the safe, but was informed by him that he could not furnish it to-day, but might probably on Monday. As Monday is the tenth day since the drawing commenced, and it is absolutely necessary that the notices of drafting should be made out from the ballots drawn, I am afraid it will be out of the power of the marshal to have the notices served as required by the act. The same difficulty may arise in regard to the Eighth District; but as the time for serving notices there will not expire till Wednesday, I may be able to overcome it.

I am, sir, very respectfully, your obedient servant,

ROBERT NUGENT,

Col. Sixty-ninth N. Y. Vols. and Actg. Asst. Prov. Mar. Gen.

NEW YORK, *July 18, 1863.*

Col. J. B. FRY:

Everything is prepared for drafting in the several districts under my control, except in the Ninth, where the papers are in a safe under the ruins and cannot be got out. Since your telegram of the 14th instant, suspending the draft in New York and Brooklyn, I have received no instructions from you to resume operations. I shall continue to advise you daily. I have sent you all particulars by mail.

ROBERT NUGENT,

Acting Assistant Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, July 18, 1863.

Col. ROBERT NUGENT,
Acting Assistant Provost-Marshal-General
for Southern Division of New York, New York City:

Telegram received. Orders will be sent you when to resume the draft.

JAMES B. FRY,
Provost-Marshal-General.

PROV. MAR.'S OFFICE, THIRTIETH DIST. OF NEW YORK,
Buffalo, July 18, 1863.

[Col. JAMES B. FRY:]

COLONEL: I find the provost-marshal here all ready to commence the draft. But as this, next to the city of New York, is the place most likely to meet resistance, on consultation with him I have deemed it advisable to delay it for further preparation.

The State arsenal here has perhaps all the guns necessary for arming men to act in support of the authorities, but the officers in charge of these arms may not supply them with the promptitude that may be required. I think I discover a little jealousy lest they give up their authority to Government authorities.

I have under these circumstances sent Lieutenant-Colonel Brooks, of the U. S. Volunteers, who has reported to me for duty, to the commander of the department of New York to solicit a section of artillery or two suitable guns with ammunition. Should these arrive by Wednesday next, as we expect, the draft will commence.

Whatever force you designate for this rendezvous should, I think, be hastened here as soon as possible. With the force for that purpose suggested by me in a former letter—500 men—there would be no danger of any disturbance here.

And unless there is resistance here, if the New York disturbances are entirely quelled, there will be no danger in the rest of the State.

I have the honor to be, your obedient servant,

A. S. DIVEN,
Actg. Asst. Provost-Marshal-General, Western New York.

ELMIRA, *July 18, 1863.*

Col. J. B. FRY:

We have just completed the draft for two counties in this district and no excitement. We shall draft in this county on Monday, and do not expect any disturbance which we are not able to put a stop to.

A. S. DIVEN,
Acting Assistant Provost-Marshal-General.

NEW YORK, *July 18, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

MY DEAR SIR: The restoration of order in the city is about being accomplished by the aid of Governor Seymour, Judge McCunn, and Archbishop Hughes, and with the approval of the leaders of the rebels

in New York. The riot had unexpectedly assumed a character which they could not safely indorse, and they propose to stop it as quickly as possible and try again.

An armed revolution in New York has been resolved on by the rebel sympathizers almost from the commencement. Before the fall of Sumter, Fernando Wood, in a message to the Common Council, announced that by the secession of South Carolina the Union was dissolved, and it becomes every city and every community to take care of itself, and suggested that New York become a free city, like Frankfort-on-the-Main.

A secret organization was set on foot for this purpose, and I was told by a Democrat now in the service of the Government that 5,000 names were pledged to the movement almost from the beginning.

This organization, as I believe, has been long perfected in the different wards, and a movement for the last 4th of July was averted by the news of national victories. The existing riots were not contemplated in the shape they took and have interfered with the original plan.

That plan, as I believe, from various suggestions let drop by newspapers and individuals, is this: To bring about a collision between the National Government and the government of the State of New York in such a shape that they can rely upon the co-operation of Governor Seymour. This accords with the secession States' rights doctrine, and will, as they believe, secure them the co-operation of the entire Democracy of the North. The plan was shadowed forth in the Express, I think of yesterday, in connection with the enforcement of the draft, and the contemplated refusal of the Government to obey the mandate of the State courts, in which case Governor Seymour will be called on to maintain the right and dignity of the people of the State of New York as embodied in the decision of their judges, and it is understood that he will obey such a call with great alacrity, and then they hope for an ignominious surrender by the National Government, or, what would suit them a thousand times better, such a refusal to recognize the judiciary of New York as would result in an armed conflict between the National Government and State government.

This is the last great card, I think, of the rebellion, and demands careful play on the part of the Government, so that, without any surrender of the rights and dignity of the Administration, the proposed collision shall be rendered impossible. The rebels in this city have from the first been entirely confident of their final success. I was told a year ago by one of the most wealthy and fashionable bankers of New York that this Administration would not be allowed to complete its term; that it would be overthrown by an armed revolt in this city, and when I asked, "When and how will this be done?" he said, sadly and solemnly, "I do not know when it will be done, nor how it will be done, but that it will be done I am as certain as that I stand here." This man has been assisting Governor Seymour to suppress these riots. He may hope next month to assist him to resist the President and the draft.

The minds of the Irish are inflamed to the point of absolute and brutal insanity. And apart from the Irish the copperhead element in the rural districts is ready to co-operate with them. In the usually quiet neighborhood where I live, in Westchester County, some forty miles from town, threats of murder and arson are openly made. In what way the governments are to meet this intended and very serious

attack of the rebel leaders in New York they can decide more wisely than any other, and I am only anxious lest the game of our enemies may not be fully understood.

The copperheads count on the remarkable reverence of the American people for the decisions of our courts as insuring them an immense support from all classes, in case the President should refuse to delay the enforcement of the draft until the new and disputed points were decided. Whether they have any hope that our State supreme court and court of appeals will decide in their favor, I don't know. My impression is that they rely chiefly on a refusal by the Government to abide by the adjudication of the judiciary. Whatever concession the Government may make should be made as of its own grace, and it has occurred to me that possibly the President might inaugurate or assist proceedings for settling judicially the various questions that have been raised, with the view of making a clean thing of the draft and saving the fearful demoralization and confusion that might be caused in the Army after it had been swelled by the conscription, in case the act should subsequently be held unconstitutional.

I presume that a decision could be speedily obtained, both in the State courts and in the U. S. courts, and with a decision of the judiciary of New York in favor of the act, any attempt of the rebels to rally the people against it would be utterly hopeless.

Should the President decide that it is wise to adopt this course, I presume that the victories achieved, since the act was passed, at Gettysburg, Vicksburg, and Port Hudson, and I hope Charleston, would enable the Government to forego without detriment the enforcement of the draft for a few weeks, and that in the meantime the State government would cheerfully respond to his call for as many State militia or volunteers as might be immediately required, to be credited to the State on account of the draft as soon as enforced.

The adoption of some policy of this kind would, I think, utterly defeat the last hope of the rebel sympathizers in New York and give to the Government, apparently, the support of a nearly united North. Whereas any attempt to enforce the draft in violation of the processes of our State courts, until the points are definitely settled, will make the Northern States a battle-field, and accomplish the most sanguine hopes of the rebels.

I have the honor to be, dear sir, with great regard, faithfully yours,

JOHN JAY.

SPECIAL ORDERS, No. 318. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, July 18, 1863.*

* * * * * * *

14. Brig. Gen. J. T. Copeland, U. S. Volunteers, is hereby relieved from duty in command of the depot for drafted men at Annapolis Junction, Md., and will proceed without delay to Pittsburg, Pa., and relieve Brig. Gen. Thomas L. Kane, U. S. Volunteers, in command of the depot for drafted men at that place.

* * * * * * *

21. Brig. Gen. J. P. Hatch, U. S. Volunteers, will repair to Philadelphia, Pa., and relieve Brig. Gen. A. Porter, U. S. Volunteers, in command of the depot for drafted men at that place, as soon as he

has completed the duties assigned by Special Orders, No. 16, current series, from this office.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

PITTSBURG, PA., *July 18, 1863.*
(Received 8 p. m.)

Hon. EDWIN M. STANTON,
Secretary of War:

Some uneasiness is felt about a riotous spirit that is thought to exist. To be ready for any emergency I would like to have the battery and two three-months' regiments sent to West Virginia returned. A number of colored men have been drafted and accepted as substitutes. No instructions have been received as to their disposition. I think they ought to be got out of the city as soon as possible.

W. T. H. BROOKS,
Major-General.

HEADQUARTERS,
Philadelphia, Pa., July 18, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

Do not permit any postponement of draft in districts where ordered, as has been done by Colonel Bomford in the Fifth District in this city. The effect will be very bad.

By command of Major-General Cadwalader:

WM. D. WHIPPLE,
Brigadier-General and Chief of Major-General Dana's Staff.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 18, 1863—3.45 p. m.

Lieut. Col. J. V. BOMFORD,
Actg. Asst. Pro. Mar. Gen. for Pennsylvania, Harrisburg, Pa.:

Let the draft go on in Philadelphia. There is force enough there now. Don't postpone or suspend what may have been publicly ordered.

JAMES B. FRY,
Provost-Marshal-General.

CAMP GILE,
Pottsville, Pa., July 18, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General of the United States:

COLONEL: In my last communication to you I stated that there were from 4,000 to 5,000 men assembled to resist the draft. Since that time I have learned from reliable information that there are at least 10,000 men that can assemble within twenty-four hours time. My forces here at present will not exceed 150 men, which is entirely inadequate for the purpose they were designed for.

The provost-marshal of the Twelfth District has made application for men. Captain Tower, the provost-marshal of this place, declines to grant the aid asked for.

In view of the above state of affairs in this locality, I most respectfully ask for instructions in regard to the same.

I have the honor to remain, your obedient servant,

OSCAR V. DAYTON,
Major, U. S. Invalid Corps, Commanding Post.

[Indorsement.]

Refer to Colonel Bomford to use the force so as to complete one job at a time in troublesome districts.

J. B. F.

PROVIDENCE, R. I., *July 18, 1863.*

Hon. E. M. STANTON:

The draft will take about forty men from Block Island, which is three leagues from the mainland, and without defenses—heretofore in time of war considered neutral and non-combatant. The inhabitants have officially represented to me their defenseless condition if these men are taken, and invoke my aid that these may be assigned for their defense against rebel privateers, which have frequently appeared in that vicinity, exciting naturally great trepidation. I respectfully request that these may be assigned and supplied with siege guns and such other arms as you may deem proper.

JAS. Y. SMITH,
Governor.

WAR DEPARTMENT,
Washington City, July 18, 1863.

Governor SMITH,
Providence, R. I.:

The arrangement suggested in your telegram of this date is approved and will be carried out.

EDWIN M. STANTON,
Secretary of War.

HEADQUARTERS DEPARTMENT OF THE NORTHWEST,
Milwaukee, July 18, 1863.

Hon. E. SALOMON,
Governor of Wisconsin, Madison, Wis.:

GOVERNOR: I have the honor to acknowledge the receipt of your letter in relation to difficulties in making the draft. I have fully understood and realized this apprehension, but have steadily declined to talk upon this subject with anybody in the city. By the time the draft is ordered a sufficient force will be here to make resistance absurd and impossible. I desire, however, the regiments brought here quickly and without the apparent purpose of being brought to enforce the draft. I have written to General Halleck for two of the old regiments, and three if necessary, to make up 700 men. The ostensible purpose will be to rest and recruit them; but if the Government will send them they will be put in barracks here until the draft

is all sure. If they are not sent I will endeavor to have the necessary force from elsewhere. No draft will be made for several weeks yet, and none until I have private notice a week in advance. The only fear I have for this city is that the people by agitating and talking may precipitate a riot before the draft is made. If they do so they have themselves alone to blame for it. When the law of the United States is to be executed I shall be ready with the necessary force, but if the people get up trouble in advance, and when no law is being resisted or even in process of execution, they must hold themselves accountable for what follows.

I think it would be well for you to push on the organization of your militia regiments so that in case of last resort they may be ready. I will keep you advised of any matter worthy of notice, and will inform you some days before the draft is to be made.

I am, Governor, very respectfully, your obedient servant,

JNO. POPE,
Major-General, Commanding.

CIRCULAR No. 53. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., July 19, 1863.*

Any person claiming exemption on the ground of alienage shall file before the Board an affidavit stating—

1. That he is an alien, and setting forth the Government of which he claims to be a subject.

2. The time when he came into the United States, and where he has resided since that date.

3. That he has never declared his intention to become a citizen of the United States, and has not exercised the right of suffrage by voting at any election in any State.

4. That he claims to be exempted from military service on the ground that he is the subject of a foreign Government, and has not declared his intention to become a citizen of the United States, and has never voted in any State.

The affidavit to be supported by any proof the party may offer.

If the Board is satisfied that the party claiming exemption is fully entitled thereto under the act of Congress they will discharge him from draft. But if not satisfied, they shall refer the case, with the affidavit, through the Provost-Marshal-General, for decision by the Department of State, in the meantime suspending any action on the case until the decision of the State Department be made. The certificate of the State Department shall in such case be considered evidence of the fact whether the person is or is not subject to military duty.

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 19, 1863.

His Excellency ABNER COBURN,
Governor of the State of Maine, Augusta, Me.:

SIR: The enrollment act only provides that in assigning to the districts of a State the number of men to be furnished therefrom the President shall take into consideration the number of volunteers and

militia furnished by and from said State, and the period of their services, &c. If, however, it shall be made to appear to the Provost-Marshal-General by the Governor of any State that particular towns to which quotas have been assigned have heretofore actually furnished a surplus of men over other quotas, an order will be issued discharging from the service of the United States a number of men called into service by the present draft from said towns equal to the surplus proved to have been furnished heretofore.

Towns will thus get credit actually for their excess on former calls.

The number of men thus discharged from the service will be added to the next subsequent quota of the Congressional district to which said towns belong.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

(Similar letter sent to Governor Gilmore, New Hampshire; Governor Holbrook, Vermont; Governor Andrew, Massachusetts; Governor Buckingham, Connecticut. Official copy of the above letter sent to the acting assistant provost-marshals-general of Maine and the above-mentioned States, respectively.)

STATE OF NEW YORK, EXECUTIVE DEPARTMENT,
Albany, July 19, 1863.

His Excellency ABRAHAM LINCOLN:

DEAR SIR: At my urgent request the Hon. Samuel J. Tilden goes to Washington for the purpose of stating to you my views and wishes with regard to affairs in this State.

He is thoroughly acquainted with my opinions and purposes. I trust you will give him an opportunity to communicate with you at length. I shall also address a letter to you in the course of a few days.

Truly, yours, &c.,

HORATIO SEYMOUR.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 19, 1863.

Brig. Gen. E. R. S. CANBY,
Commanding Department of the East, New York City:

GENERAL: I have from Col. R. C. Buchanan, acting assistant provost-marshal-general of New Jersey, evidence which seems to be conclusive that organizations are formed or forming in nearly all the districts in New Jersey to resist the draft. The lives and property of the officers in that State acting under this Bureau are threatened. There is no military force in the State to resist this opposition. I have ordered Colonel Buchanan not to attempt the draft at present, and even in the ordinary business of the Bureau to be rather yielding than otherwise until we are strong enough to go straight through. In New York City I have directed Colonel Nugent, acting assistant provost-marshal-general, to be in readiness to proceed with the draft as soon as he is ordered to resume it. I request that you will inform me when you think the military is in readiness to sustain me effectually in carrying out this vital measure of the Government. I shall order the draft

but in one district at a time in the city unless you think it will be safe to attempt more. I solicit your views on this point. In Troy the draft was commenced and suspended in consequence of the mob.

In Albany and Buffalo the threatening of the mob renders the commencement of the draft at this time injudicious. The same is the case in some of the smaller cities in the State of New York. My opinion is that under present circumstances it will be best to resume and complete the draft in the city of New York at the earliest moment at which you deem it practicable, then to send force enough to draft in Albany, then to Troy, and so on westward. Please give me your views on these points and let me know when to give orders to resume the draft.

I am, general, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
SOUTHERN DIVISION OF NEW YORK,
New York, July 19, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: On the receipt of your telegram to-day, stating that when the draft was to be resumed I would be notified, I had an interview with Major-General Dix and Brigadier-General Canby. General Dix agreed with me that when it was resumed it should be commenced and carried out by districts, and in the very place where it was originally designed to take place. A tent erected on the ruins of the burnt buildings will afford ample accommodations. Major-General Dix very cheerfully agreed with my suggestion and ordered me to call on General Canby for whatever force I might require. Some parties were of opinion that a strong and central point—such as the arsenal—ought to be selected, and the draft for three or four districts carried out there, but we were convinced that in order to teach the riotous part of the population that the Government was resolved to execute the laws, it should be done on the very spot which has suffered so much at the hands of the mob.

The great difficulty will next be to get the enrolling officers of the disaffected districts to serve notices on those persons whose names are already drawn. The district marshals so far have been unable to get them together, but in case I cannot have them I shall be obliged to employ some of the Invalid Corps, under a strong guard, to take their places.

I am, sir, very respectfully, your obedient servant,

ROBT. NUGENT,
Col. Sixty-ninth N. Y. Vols. and Actg. Asst. Prov. Mar. Gen.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 19, 1863.

Hon. S. G. ARNOLD,
Middletown:
(If not there, at Providence, R. I.)

The Board of Enrollment in the two districts of Rhode Island are exempting nearly all the drafted men. There must be something

wrong in their action. As you were instrumental in the appointment of some of the members, will you please, for the good of the service, at once look into their doings?

JAMES B. FRY,
Provost-Marshal-General.

(Same to Hon. H. B. Anthony, Hon. William Sprague, Hon. Thomas A. Jenks, Providence, R. I.)

CIRCULAR } WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
No. 54. } *Washington, D. C., July 20, 1863.*

Existing laws make a distinction in the matter of pay, bounty, and other allowances between soldiers of African descent and other soldiers in the service of the United States. Men of African descent can, therefore, only be accepted as substitutes for each other under the enrollment act.

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 20, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: It is plain from the signs of the times that the question of the constitutionality of the enrollment act will very soon be carried before certain State courts, and it is probable that decisions will be rendered adverse to the interests of the United States. In consideration of this fact and of the present condition of the public mind, as I see it by the public press and private correspondence, I think it would be best, if it can be properly done, to have the constitutionality of this law passed upon by the Supreme Court of the United States at once.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

STATE OF MINNESOTA, EXECUTIVE DEPARTMENT,
Saint Paul, July 20, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I desire to call your attention to the situation of the people of this State in relation to the enforcement of the "Act for enrolling and calling out the national forces, and for other purposes," approved March 3, 1863.

Our border counties are sparsely settled by farmers living in houses from half a mile to two miles, and often farther distant from each other, in families consisting generally of one man and his wife and children. This separation from each other, required by the custom of civilization that each family should have a home of its own and cultivate its own land, renders them an easy prey to the outrages of hostile Sioux Indians, who are now prowling through the country in small parties, and being able, like wild beasts, to subsist wherever are water, game, and plunder, can hunt in bands for offense or defense. This makes it necessary for the settlers to be constantly at home exercising the utmost watchfulness for themselves and families.

These parties of savages have not confined themselves to the frontier counties, but in spite of all the vigilance that has been used, have, in several instances, within a week penetrated into some of the most populous counties of the State bordering on the Mississippi River. In this state of things I would suggest whether the settler who will be compelled, by the operation of the draft, to leave his family exposed to the terrible outrages of these fiends, may not ask to be relieved without any imputation upon his loyalty or patriotism. If the proof of both is required, there is no doubt but it will be given by a ready response to the call of the Government. But must it be required at this time when the Indians are actually among us. Many of these men last year fled in terror from their homes with their families, leaving their property to pillage and destruction. This year they are generally determined to remain, defend themselves, and, if possible, exterminate the savages. The fact that many of them, and perhaps all in the frontier counties, if called out of the State, must remove their families to some place of safety, to be provided for by somebody, and again lose their crops and property, is an additional argument why they should be spared the sacrifice until it is absolutely necessary.

I make these suggestions, hoping that the national exigencies will not require the draft to proceed in Minnesota while our Indian troubles are bearing so heavily upon us.

If, however, it is otherwise, and troops are to be called for from this State, could not the two regiments of U. S. volunteers (Eighth and Ninth) go, and their places on our frontier be supplied by a sufficient number of our State militia, to be enlisted from the most populous counties of the State, or where they can best be spared, and mustered into the service of the United States as frontier men, to serve during the Indian war.

I am, most respectfully, your obedient servant,

HENRY A. SWIFT,
Governor.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 20, 1863.

Maj. A. S. DIVEN,
Acting Assistant Provost-Marshal-General for Western Division of New York, Elmira, N. Y.:

The Government has no regiment of infantry or section of artillery which can now be sent to Elmira, for prudential reasons. The actual want in New York City takes everything at this moment. You must avoid everything, even in performance of duty, which would lead to disturbance until you feel strong enough to overcome all opposition. A suitable force will be sent you just as soon as possible.

JAMES B. FRY,
Provost-Marshal-General.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
SOUTHERN DIVISION OF NEW YORK,
New York, July 20, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: I applied this morning to Brigadier-General Canby for two companies, one each to be stationed as a permanent guard at the

office of the district marshal of the Sixth and Seventh Districts, as I had instructed the marshals of these districts to take their papers from the places where they had been sent last week for safe-keeping and complete their arrangements for the draft. In response to my application the general told me that at present he was unable to furnish the companies, but would do so as soon as possible. I also applied subsequently for four companies to act as a guard to the men employed by Capt. C. E. Jenkins in the ninth district to take his safe out of the ruins, but the guard could not be obtained. I inclose you my application with the indorsement thereon for your consideration.*

It was understood by General Canby that we were desirous to have the safe, as the names of the parties drawn on the 11th were in it, and that the law prescribed that they should be notified within ten days from the drawing, but the general seemed to think that as the drawing was not completed the requirements of the law need not be satisfied in that respect. At all events, he could not comply with my request, though I feel satisfied he would have done so if it were possible.

I have the honor to be, colonel, very respectfully, your obedient servant,

ROBERT NUGENT,
Col. Sixty-ninth N. Y. Vols. and Actg. Asst. Prov. Mar. Gen.

HARRISBURG, *July 20, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

GENERAL: Provost-marshal's office in Thirteenth District was broken open and robbed of contents. Have not heard particulars. Will inform you when known.

J. V. BOMFORD,
Lieut. Col. 16th U. S. Infty. and Actg. Asst. Prov. Mar. Gen.

CONTINENTAL HOTEL,
Philadelphia, July 20, 1863.

Hon. E. M. STANTON:
(To be delivered in person.)

Governor Curtin is in this city. I have conferred with him about the means of paying our troops, and the money can be raised, requiring only your assurance that you will demand an adequate appropriation by Congress. It is understood that the vouchers shall be all in proper form. I would like you to telegraph your proposition at once, as the Governor wishes immediately to close the matter with the banks and other institutions. You may address me at the Union League.

J. R. FRY,
Chairman.

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*Omitted.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 20, 1863.

Brig. Gen. T. G. PITCHER,
Actg. Asst. Prov. Mar. Gen. for Vermont, Bratteborough, Vt.:

Minors can be accepted as substitutes with the consent of their parents.

JAMES B. FRY,
Provost-Marshal-General.

BOSTON, *July 21, 1863.*

Hon. E. M. STANTON,
Secretary of War:

On the 18th instant I telegraphed asking that you authorize Massachusetts conscripted men to enlist as volunteers into any Massachusetts three-years' organization. This would enable me to pay them $50 State bounty each, from which they as mere conscripts would otherwise be excluded. I think such request reasonable and just, and respectfully ask the favor of a reply.

JOHN A. ANDREW,
Governor of Massachusetts.

WAR DEPARTMENT,
Washington, D. C., July 21, 1863.

Governor ANDREW,
Boston:

Your telegram of the 18th has been under consideration by the Department, and has remained unanswered until the subject could be fully considered. After mature consideration it has been determined that the authority asked for by you cannot be granted by the Department.

EDWIN M. STANTON.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Detroit, July 21, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General of the United States:

SIR: Pursuant to your telegraphic instructions of 13th instant, and in continuance of previous reports on this subject, I have now to report that the six companies of sharpshooters have been returned to Michigan at the request of His Excellency Governor Blair. These companies are returned for the ostensible purpose of completing the organization of the regiment. Five companies have been sent to Dearborn Arsenal and one company to Fort Wayne. Two Parrott guns will also be got in readiness and manned by members of the Invalid Corps and attached to the provost guard at Detroit barracks. Some forty or fifty cavalry recruits now at Coldwater will also be ordered to Detroit barracks. There has been a very excited state of feeling in the community for some days. Prominent distinguished supporters of the Government have apprehended attacks on their dwelling-houses and have made preparation for their defense, but I do not think there is ground for further apprehension. When the

draft is ordered there will be the six companies of sharpshooters and two additional now being organized—making eight in all—a company of provost guards, a section of artillery, and a few cavalrymen, who I think will be fully adequate to put down any riot in this city. I have communicated to Governor Blair the suggestions I made in my letter of the 18th instant, and he highly approves the idea of returning to the State the most reduced Michigan regiments to receive the drafted men necessary to complete their numbers. Many of those regiments I am told are very much reduced, numbering not over a hundred men, and the more I reflect on the practical working of the draft the more I am convinced of the advisability of some such plan.

Very respectfully, your obedient servant,

B. H. HILL,
Major, Second Arty., Actg. Asst. Prov. Mar. Gen., Michigan.

AUBURN, N. Y., *July 21, 1863.*

Col. J. B. FRY,
Provost-Marshal-General:

COLONEL: I telegraphed you from Lockport at 1 a. m. that I wanted 1,000 guns and ammunition, promising to explain the reason in a letter. Since then I have been at Syracuse, the headquarters of the Twenty-third District, where there is a very large foreign population connected with the salt manufacture, and where the marshal and his deputies are pretty thoroughly frightened. I do not believe there is as much danger as is apprehended, but do not like to disregard the cautions I receive from every quarter.

I have made arrangements with the authorities as follows: In the Twenty-fifth District the sheriff of the county of Ontario has agreed to furnish forty reliable men to act as a posse under him, and I have agreed to place at the disposal of the provost-marshal forty muskets, to be used if occasion demands.

At Lockport, Twenty-ninth District, I have made a similar arrangement for 100. At Syracuse 500. At this district—Twenty-fourth—we will start the draft day after to-morrow, at the other places as soon as the arms are ready. All these arms will be discreetly kept and turned over in time for the drafted men. I will write you more at length this evening or in the morning.

In haste, I have the honor to be, your obedient servent,

A. S. DIVEN,
Acting Assistant Provost-Marshal-General.

P. S.—Buffalo and Rochester are waiting for the return of troops that are expected from New York.

SARATOGA SPRINGS, *July 21, 1863.*

Hon. HENRY WILSON:

DEAR SIR: There is more difficulty about the draft in this State than the authorities at Washington suspect.

Our State militia is mainly officered by open secessionists recently appointed by the Governor. They will lead the mob in these counties.

What we propose is that each provost-marshal be authorized to

appoint a guard in each village, as many as choose to organize—say 100 in each village of 600 voters—and that arms and ammunition be forthwith issued to each, and that they be kept in each man's house ready for use upon a moment's warning. I write this at the request of many of our leading men in the State. Our State committee meets here to-morrow and the matter will be further discussed then. But no time should be lost. Major Townsend telegraphed the War Department, but has no answer.

Yours, &c.,

E. F. BULLARD,
Of Waterford.

[First indorsement.]

OFFICE PROVOST-MARSHAL-GENERAL,
Washington, D. C., July 31, 1863.

Respectfully referred to Maj. Frederick Townsend, acting assistant provost-marshal-general for Northern Division of New York at Albany.

By command of Colonel Fry, Provost-Marshal-General:

HENRY STONE,
Assistant Adjutant-General.

[Second indorsement.]

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
NORTHERN DIVISION OF NEW YORK,
Albany, August 3, 1863.

Respectfully referred to Captain Butler, provost-marshal Eighteenth, for his views. Indorse same hereon and return to this office.

FREDK. TOWNSEND,
Maj., U. S. Army, Actg. Asst. Provost-Marshal-General.

[Third indorsement.]

PROVOST-MARSHAL'S OFFICE, 18TH DIST. OF NEW YORK,
Schenectady, August 4, 1863.

The within letter is substantially true in the relation of facts at the time it was written. The state of affairs is somewhat modified. It is my opinion, however, that previous to a draft in this district a force should be sent to these headquarters—say 200 men. If the draft should be opposed in any of the towns a force could be sent from here to anticipate it. In the village of Saratoga Springs, now full of visitors, it would be necessary to have a guard when the notices are served and drafts enforced, as there is a dangerous element there. Threats have been made to burn the large hotels there if the draft is enforced there. If the draft is enforced first in New York City and Troy, where riots have existed, it would have the effect of quieting disloyalty throughout this district to a great extent and disarming opposition.

I think a small force as above stated would be ample under present circumstances.

I am, sir, your obedient servant,

J. P. BUTLER,
Captain and Provost-Marshal, Eighteenth District of New York.

[Fourth indorsement.]

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
NORTHERN DIVISION, STATE OF NEW YORK,
Albany, August 10, 1863.

Respectfully returned to the Provost-Marshal-General's Office.

With the force now on hand additional to the three companies of the Invalid Corps ordered to report at these headquarters it is presumed that the suggestions in Captain Butler's indorsement can be carried out.

FREDK. TOWNSEND,
Maj., U. S. Army, Actg. Asst. Provost-Marshal-General.

WAR DEPARTMENT,
Washington City, July 21, 1863.

J. R. FRY,
Chairman Union League, Philadelphia:

All that is necessary is that the Governor of Pennsylvania should see that the company pay-rolls are properly made out and certified. This being done, the amount due is readily ascertained and can be paid, and the pay-rolls will furnish the proper official voucher of the payment. This Department will lay before Congress at the commencement of the session an estimate to cover the amount and request the appropriation. The matter has been arranged in this way in other States, and has been productive of no delay or complaint where the Governors have given their attention to it and seen that the musters and rolls are properly made out.

EDWIN M. STANTON,
Secretary of War.

NEWPORT, *July 21, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: Your telegram of the 19th has just reached me, forwarded from Providence. I was in the city on Saturday and spent an hour at the provost-marshal's office looking over the papers, and can give conclusive reasons for the great number of exemptions allowed to those who have reported up to this time. A very large number are aliens. In this State aliens are not allowed to vote without a property qualification, and hence are on different footing from natives, and fewer of them apply for naturalization papers, which can be of no service to them without the requisite amount of property, but the enrollment being conducted on the terms of the law embraced everybody—aliens, natives, and naturalized citizens. Some thousands of the aliens were struck from the roll before the drafting commenced, but very many names were retained through want of definite knowledge as to whether they had been naturalized or not. These were, with those exempted from the several causes recited in the act, of course reported promptly and received their exemption papers. Complete lists of all the names, with the causes of exemption noted thereon, are made out and will be forwarded to your office. The number of aliens and the promptness of exempts to report are two reasons, but there are others, which should not be overlooked. This

State was among the foremost to send its fighting men to the war, and in a larger proportion than many other States. It is almost drained of sound, healthy men for service in the field. Of those who remain, from whom this draft is to be made, but a small portion are sound and suitable for service. We have sent a great many more than our quota to the Army, besides which a large number are in the naval service, probably not far from 2,000, who have never been credited to the State in military requisitions, although justice requires that they should be, since they take just so many from our fighting population. Mr. Sumner and myself tried in vain last winter to secure this act of justice to our respective States. Were the naval recruits credited to us, they, with the excess already sent to the Army from Rhode Island, would leave us absolutely free from the draft at this time. We can send a regiment more without much trouble, but I really do not believe that this State can furnish the proportion of 300,000 assigned to her under this draft. The conscription will be gone through with, both classes will be exhausted, and then we shall fall short. I feel certain of this, but I know that the law will be fully sustained and the draft carried out by the Board of Enrollment here fully, fairly, and legally, and am convinced that the returns when you receive them will satisfy you of these facts.

I have the honor to be, very respectfully, yours,

S. G. ARNOLD.

CIRCULAR No. 55. } WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., July 22, 1863.*

Whenever acting assistant provost-marshals-general of States may deem it necessary, boards of enrollment will be authorized to employ such medical assistance as may be required to aid the respective surgeons of those boards in the preliminary examination of drafted men. The surgeon of each Board of Enrollment will, however, be responsible, under sections 14 and 15 of the "Act for enrolling and calling out the national forces, and for other purposes," for the examination in each case. A reasonable compensation will be allowed to physicians and surgeons employed as assistants.

The surgeon of the Board shall in person examine each case of physical disability upon which a claim for exemption may be based, and for recommendation shall be laid before the Board of Enrollment for its decision in the premises.

No exemption for physical disqualification shall be granted by the Board till such examination shall have been made by the surgeon of the Board in person.

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 22, 1863.

Major-General DIX,
Commanding Department of the East, New York City:

GENERAL: The draft in some of the States in your department will have to be conducted under your directions as commander of the forces. With your approval, therefore, I will direct the acting assistant provost-marshal-general, where there has been or still is likely to

be trouble, to confer with and receive the direction of yourself or General Canby and to proceed in accordance with such arrangements as you may determine upon. In the State of New York Col. Robert Nugent is acting assistant provost-marshal-general for the first nine districts. You are aware of the condition of things in these districts. Maj. Frederick Townsend, headquarters Albany, is acting assistant provost-marshal-general for the districts numbered from 10 to 22, inclusive. In the Sixteenth District, Plattsburg, the draft has taken place and been well received; the same is thought to be the case in the Seventeenth District. In the Fifteenth District the draft was commenced and has been suspended by a riot in Troy. In the Fourteenth District the draft has not commenced, as the indication of riot in Albany made it prudent not to begin. Maj. A. S. Diven, headquarters at Elmira, is acting assistant provost-marshal-general for the districts numbered from 23 to 31, inclusive. The draft there has passed off quietly in the Twenty-sixth and Twenty-seventh Districts. The indications of mob violence are so strong in Buffalo that I have deemed it best not to undertake a draft in that city until an adequate force can be sent there. Difficulties of greater or less magnitude are apprehended in some of the interior cities of New York.

In New Jersey there are unmistakeable signs of resistance, and the draft has not yet been ordered in that State. I have directed Colonel Buchanan, acting assistant provost-marshal-general for that State, headquarters Trenton, to pursue his duties with great prudence, so as to prevent an outbreak. In Rhode Island, Connecticut, Massachusetts, Vermont, and Maine the draft has been made, or is in progress, without any indication of serious opposition. In New Hampshire the condition of things is not so favorable, and I hold the orders for draft there for the moment, and I hardly think it well to commence without some force.

I have sent orders to Philadelphia for five companies of the Invalid Corps there to proceed to Connecticut and report to Maj. D. D. Perkins, acting assistant provost-marshal-general of that State. I don't think all of these companies will be necessary there—at least not continuously—and as soon as it appears that part of them can be spared, it is my intention to push a part on to New Hampshire as provost guards in that State.

Orders will be sent to Louisville, Ky., to-day for three companies of Invalid Corps to proceed from that place to Elmira, N. Y., and report to Maj. A. S. Diven, acting assistant provost-marshal-general, as provost guard under him.

I am, general, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
SOUTHERN DIVISION OF NEW YORK,
New York, July 22, 1863.

Col. JAMES B. FRY,
Prov. Mar. Gen. of the United States, Washington, D. C.:

SIR: Yesterday forenoon I had an interview with Major-General Dix in relation to procuring the use of a portion of the State arsenal in Thirty-fifth street, in this city, for the purpose of an office for Capt. B. F. Manierre, of the Eighth District, whose building, as you may remember, was burned by the mob. Captain Manierre was with me.

The major-general told us that he would call on Governor Seymour to ascertain if it could be procured for this purpose and would let me know the result. What that has been I am unable to learn so far, as General Dix has not notified me of the result of the application, but I presume the arsenal can be obtained.

For the present General Canby is unable to furnish sufficient guard to the different district marshals who apprehend danger from the mob, so I have instructed them that until guards can be supplied they will keep their records at Governor's Island for safety.

The safes belonging to the marshals of the Eighth and Ninth Districts have been quietly and successfully taken out of the ruins, and upon examination I found their contents in a tolerably good state of preservation. No paper or ballot of any value has been destroyed.

I inclose you a letter from Captain Manierre on the subject of the draft.

I am, sir, very respectfully, your obedient servant,

ROBERT NUGENT,

Col. Sixty-ninth N. Y. Vols. and Actg. Asst. Prov. Mar. Gen.

[Inclosure.]

NEW YORK, *July 22, 1863.*

Col. ROBERT NUGENT,

Actg. Asst. Provost-Marshal-General, New York City:

COLONEL: I have received your verbal order to notify the persons drafted by me on the 13th instant. I drew on that morning 216 persons.

I have used my best efforts to hire a place so as to establish my headquarters, but have not as yet succeeded.

It will be out of the question to comply with your orders until I can secure a place where the drafted men may be ordered to report, and where the enrolling board may sit to hear and pass upon those who present themselves, and also for the further reason that you say you cannot furnish adequate protection.

I am prepared at any moment to proceed when I get a headquarters, which I trust soon to do, and when you can protect the marshal and those in his employ in the execution of their work.

I desire further to say that I see nothing in the law which would prevent the drawing taking place at the City Hall. It strikes me that it would be the best place, the most secure, the easiest protected.

If the draft was ordered to take place there I imagine there would be less feeling among the owners of property to rent me a place for my office.

I am satisfied that the mob is ready to rise the moment the wheel begins to turn, and I hope the Government will be prepared to protect all engaged in the business of the draft, for I am sure we cannot count on the protection of Governor Seymour.

I am, colonel, very respectfully,

B. F. MANIERRE,

Captain and Provost-Marshal, Eighth District.

HARRISBURG, *July 22, 1863.*

(Received 12.15 p. m.)

Hon. E. M. STANTON:

I am without answers to my dispatches in reference to pay of the militia called under my proclamation of the 27th of June. Arrange-

ments have been made in Philadelphia to raise the money, anticipating the action of Congress. A committee of gentlemen reported to me all you said on the subject, and handed me a copy of a dispatch from you. They informed me you would answer me. Am I to regard your conversation with the committee and your dispatch to them as your answer to me as Governor of the State? It is important I should hear from you, as I desire to refer to the subject in a letter to be written to the representatives of moneyed institutions to-day.

A. G. CURTIN.

WAR DEPARTMENT,
Washington City, July 22, 1863.

His Excellency Governor A. G. CURTIN,
Harrisburg, Pa.:

Your telegrams respecting the pay of militia called out under your proclamation of the 27th of June have been referred to the President for instructions, and have been under his consideration. He directs me to say that while no law or appropriation authorizes the payment by the General Government of troops that have not been mustered into the service of the United States, he will recommend to Congress to make an appropriation for the payment of troops called into State service to repel an actual invasion, including those of the State of Pennsylvania. If in the meantime you can raise the necessary amount, as has been done in other States, the appropriation will be applied to refund the advance to those who made it. Measures have been taken for the payment of troops mustered into the U. S. service as soon as the muster and pay rolls are made out. The answer of this Department to you as Governor of the State will be given directly to yourself whenever the Department is prepared to make answer.

EDWIN M. STANTON,
Secretary of War.

PROVIDENCE, *July 22, 1863.*

Col. J. B. FRY:

The class of substitutes accepted and now offering are scoundrels and thieves and cannot be kept securely. Twenty-five escaped last night, and all will escape before reaching field. I believe many of them are enrolled. Can nothing be done?

W. SILVEY,
Acting Assistant Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, July 22, 1863.

Capt. WILLIAM SILVEY,
Actg. Asst. Prov. Mar. Gen., Providence, R. I.:

Scoundrels and thieves are not acceptable substitutes. Instruct your boards accordingly.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 56. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., July 23, 1863.*

Provost-marshals will see that drafted men, whether principals or substitutes, are sent to the designated general rendezvous on the day they are accepted, if it can be done; if not, then as soon after as possible. Where there are no military guards available, provost-marshals must employ enough special guards to accomplish this purpose. Substitutes especially should be sent promptly to the rendezvous, and the boards should only accept them as they are prepared thus to dispose of them.

Boards of enrollment should conduct the draft for sub-districts and the notification of persons drafted in such manner that the drafted men will be required to report for examination in squads of manageable size at successive convenient periods, and not all on the same day.

JAMES B. FRY,
Provost-Marshal-General.

GENERAL ORDERS, No. 172. HDQRS. DEPT. OF THE CUMBERLAND, *Winchester, Tenn., July 23, 1863.*

To avoid misapprehensions and correct certain evils now existing in regard to colored persons coming within the lines of this army, it is hereby ordered:

I. That all officers commanding troops in the field will conscript and employ such able-bodied negroes as are allowed by law for teamsters, cooks, laundresses, quartermasters' laborers, and servants to officers who by law are permitted to employ soldiers, taking the servants of loyal people only in cases of necessity, and always leaving such as may be absolutely requisite for the care of the families. Every cook or teamster shall be properly enrolled and mustered into service, according to law, without delay. Every other employé or servant must be enrolled by the quartermaster of the command in which he is employed. Officers entitled to have a soldier for servant will be permitted to employ servants from such enrolled persons, for whom they will furnish requisitions, approved by the superior officer of the command. The quartermaster will thereupon enter the name of the officer on the rolls opposite the name of the servant, and will give the servant a certificate of his assignment, giving the name of his officer, which certificate the servant must be directed to preserve, and have renewed if worn out or lost. No changes of servants will be permitted without notifying the quartermaster, that he may issue certificates and note the change in his rolls.

The officer having such servants will drop the charge for servants from his pay accounts, as in case of having soldiers for servants, and the servants will be paid by the quartermaster as other employés.

For all negroes employed in pursuance of this order the officer conscripting or employing shall, on application, furnish the owner or claimant a descriptive roll, certifying that the person described is employed in the service of the United States, and in what manner.

Duplicate descriptive rolls of all negroes in camps and at the posts in this department will be made without delay.

II. To prevent vagrancy, demoralization, immoralities, and expense to the Government, all officers are forbidden to admit within their lines and harbor runaway negroes, unless their services are needed, or in cases where humanity demands it. In these cases lists of the

persons admitted and the reasons for their admittance will be forwarded to the provost-marshal-general of this department without delay.

III. To insure protection and prompt payment to colored persons employed in the engineer department or as laborers, they will be organized and mustered into service by detachments or companies, as infantry, and then assigned to duty. Applicants for commissions in these organizations will be examined, and, if qualified, appointed and commissioned pursuant to instructions from the War Department.

IV. In the absence of civil law commanders of troops will exert their authority to prevent injustice and disorders, whether coming from masters or their servants, requiring each to perform their legal duties, wherever intervention is practicable and demanded by justice and humanity.

By command of Major-General Rosecrans:

J. BATES DICKSON,
Assistant Adjutant-General.

OFFICE ACTG. ASST. PROV. MAR. GEN. FOR ILLINOIS,
Springfield, July 23, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to state that about 4 p. m. yesterday, 22d instant, I received a dispatch from W. B. Archer, commissioner of Board of Enrollment, Eleventh District, a copy of which is inclosed, marked A. About 10 p. m. I received a second dispatch, copy inclosed, marked B.

At noon to-day (23d) Mr. Archer arrived by way of Saint Louis, bringing with him the papers and records of the provost-marshal's office at Olney. From his statements the disturbance appears to have been even more serious than was indicated by his dispatches. The office at Olney is broken up for the present, and the work of consolidation and preparation for the draft entirely suspended. The records will not be safe at Olney till the armed band of desperadoes, several hundred in number, can be dispersed. All that can be done with the limited means at our disposal to quell the disturbance and reinstate the officers at Olney will be done at once by General Ammen, commanding District of Illinois, and myself.

Will report in full in a day or two.

Very respectfully, your obedient servant,

JAMES OAKES,
Lieut. Col. Fourth U. S. Cav., A. A. P. M. G. of Illinois.

[Inclosures.]

A.

OLNEY, ILL., *July 22, 1863.*

Colonel OAKES,
Acting Assistant Provost-Marshal-General for Illinois:

A body of 200 to 500 men came within half a mile of our town last night to destroy enrollments. The papers were all secured and the raid stopped for a time. Rumors came in frequently of further danger. Captain O'Kean gone to Franklin. We send messenger by train to-day.

H. STUDER,
Assistant Provost-Marshal.

B.

ODIN, *July 22, 1863.*

Colonel OAKES:

Have you sent any men to Olney? I had to make my escape with rolls to Saint Louis. Dispatch me at Planters' House, Saint Louis, to-night, if possible. Will be up on noon train from Saint Louis to-morrow.

W. B. ARCHER.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Elmira, N. Y., July 23, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

DEAR SIR: I have just returned from a visit to all the headquarters of provost-marshals in my division of the State. I wrote you yesterday in haste and with imperfect accommodations for writing. I have been very careful to confer with the civil authorities of towns and counties in which headquarters are situated. I would feel perfectly safe to complete the draft next week if I had at my disposal 1,000 stand of arms, and I do not believe it would be necessary to unpack any of them; still they should be where they could be made available.

The worst element of disturbance now is the persistent attempt of our Republican friends to make the Democratic party and rioters identical. Even if this were true, no policy could be worse than to make it apparent to the brutal wretches who take part in the riots. What stronger encouragement could they have than to believe they were backed by so powerful an organization, and how many simple-minded men throughout the country, who think the Democratic party infallible, will believe there must be a justification for these riots if their party encourage them? There is also danger of exasperating many a man by this course until he is driven from the support of the Government, who would otherwise be loyal.

While it is true that all or nearly all the opposition to the draft comes from Democrats, it is also true that in my arrangements for enforcing the law I have received the most efficient aid from Democrats.

The most successful objection by the enemies of the draft is that the Army might have been recruited by volunteers. How would it do to order that the drafted men of any sub-district supplying the quota by volunteers within thirty days should be discharged the service? This would take the wind out of their sails, and with proper regulations for return of bounty, clothing, &c., would work no injury. Anything better than stop the draft; that is, to have the Government beaten by a mob.

I am, truly, your obedient servant,

A. S. DIVEN.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Elmira, N. Y., July 23, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I understand the position of Governor Seymour in relation to the draft to be this: That any drafted man has a right to the writ of habeas corpus; that if the military authorities refuse to pro-

duce a man held by them as a drafted man, and to abide the decision of the judge, that then he would employ all the power vested in him as Governor, including, of course, his military power as commander-in-chief of the militia of the State, to secure to them the right. Now, I assume that the Governor is sincere when he says if the law is declared by the courts to be constitutional, then all his power shall be used for its enforcement. How can the adjudication be had without embarrassing delay is the question. Of course the tribunal of last resort is the one to appeal to before the law could be said to be definitely declared.

I propose this: Either of the justices of the Supreme Court of the United States can issue the writ of habeas corpus. Let application for a writ be at once made to each of the judges for the discharge of a drafted man, and on the question of granting or denying the writ the justices can separately give their opinions, and thus within a few days the mind of the court can be ascertained. There can be no doubt, surely, about the decision. I, at least, have not the legal discernment to appreciate any point that has been made against the validity of the law. This proposition I would make to Governor S., if authorized, and it would certainly test the sincerity of his professions, and would fulfill the pledges he has made to the men complaining of the law.

I have the honor to be, your obedient servant,

A. S. DIVEN,
Acting Assistant Provost-Marshal-General.

HEADQUARTERS,
Philadelphia, Pa., July 23, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to inform you that the following has been reported to me as being the true state of things in Schuylkill County, Pa., in view of which, and the topography of the country, I recommend the draft to be postponed in that district for the present, and, when it is undertaken, that the whole district be drawn at Pottsville, and in the presence of at least a regiment of infantry and a battery of artillery:

First. The miners of Cass Township, near Pottsville, have organized to resist the draft, to the number of 2,500 or 3,000 armed men.

Second. They drill every evening, and are commanded by returned nine-months' men and discharged three-years' men.

Third. It is positively known that they have two pieces of light artillery, and it is rumored that they have seven.

Fourth. They threatened to burn down the houses and coal breakers owned by Republicans. They have served cautionary notices upon three citizens, Messrs. Bannon, Robert Morris, and another.

Fifth. The U. S. force, commanded by Major Dayton, is stationed at Pottsville, and consists of two companies of the Invalid Corps. Three days ago this force had only twenty rounds of ammunition.

Sixth. Fifteen hundred men and two sections of artillery would enforce the draft in Schuylkill County, probably without using physical force.

Captain Tower is the provost-marshal.

I am, colonel, very respectfully, your obedient servant,

WM. D. WHIPPLE,
Brigadier-General of Volunteers.

EXECUTIVE OFFICE,
Iowa City, Iowa, July 24, 1863.

Hon. EDWIN M. STANTON,
Secretary of War, Washington City, D. C.:

SIR: I have been applied to frequently by persons who desire to raise colored troops in this State for U. S. service. It is thought by them that a full regiment may be raised in this State. I do not think so, but the number of black persons in this State may be now much larger than I suppose. I have felt some backwardness, too, about engaging in raising colored troops in this State lest men from Missouri calling themselves loyal might prowl about the camps and claim the men who had enlisted as their fugitive slaves, and thus cause much excitement and trouble.

But the Government wants troops, and I am anxious they shall be furnished, and, if you desire, I shall raise what troops of this kind I can in this State. Please let me know and I will commence the work.

If I cannot raise a full regiment, will a number of companies less than a regiment be accepted?

Will I appoint the company officers and the field officers if a regiment be completed?

Will the troops raised be credited to the State against any future draft?

What is the pay of officers and men of colored troops?

An early answer will oblige.

Very respectfully, your obedient servant,

SAMUEL J. KIRKWOOD.

WORCESTER, MASS., *July 24, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: Allow me to bring to your attention some of the results of my observation of the enforcement of the draft in this Congressional district. I think you will not doubt that I very strongly desire to see the draft enforced and made as successful as possible. The representative of this loyal district would be perfidious to his constituents not to desire this. Therefore let me say freely that I think that some of the constructions of the law that have come from the Provost-Marshal-General have embarrassed its operations.

First. The construction that the payment of $300 is not equivalent to furnishing a substitute has started the substitute brokerage business into full operation, with a vast amount of attending scoundrelism. Drafted men prefer, of course, to present substitutes, even if they pay more than $300 to secure them—those drafted men, I mean, who will pay rather than enter the service—but most of the substitutes will desert, if possible, as soon as they get the money. They are not such men as would be secured if the matter were in the hands of the Government. Here to-night while I am writing our provost-marshal has some thirty-five accepted substitutes under guard. Four of them escaped an hour after they were shut up; the guard has been doubled. Probably more will escape before they reach the rendezvous. In Boston and Providence the escapes have been much more numerous. Men whom Government offers would induce to enlist, if the commutation money should be used to induce them, will not join the crowd presented by the substitute brokers, and the substitute business is

made as bad as it can be. The Government is losing both the men and the money. Can nothing be done to correct this? I hold that the Provost-Marshal-General's construction of the law is wrong, for according to the law the $300 are equivalent to a substitute, inasmuch as the money is paid "for the procuration of a substitute."

Second. Our provost-marshal has just been ordered to retain every man from the moment when he reports or appears for examination (if accepted), and keep him under guard until he is sent to the rendezvous. The motive of this order is right, but its operation is bad and extremely offensive to our people. Those who cannot be trusted should be retained; but most of those drafted in this district will not in any case run away. The provost-marshal has the means of knowing whom he can trust, and he ought to be allowed to use some discretion in this matter of retaining men. A respectable and reliable man came here to-day from a town twenty miles distant, not knowing of the order, and to-night he is shut up under guard with the substitutes. His notification did not require him to report before the 10th of August. He came now, not dreaming that he would not be allowed to return to his family. I need not tell you that such things greatly disturb the feeling of the people. They are deemed unjust and tyrannical. If half our people were copperheads we should probably have a riot. Some of our best, truest, and most influential men have in my office to-day denounced the order in the most unmeasured terms. Of course they would not do the same thing on the street; but they entreat me to write to you on the subject. While the draft should be rigidly enforced, it seems to me that the matter should be so managed as to conciliate rather than provoke.

Respectfully, your obedient servant,

JOHN D. BALDWIN,
Representative of the 8th Massachusetts Congressional District.

WAR DEPARTMENT,
Washington City, July 24, 1863.

Governor AUSTIN BLAIR,
Jackson, Mich.:

GOVERNOR: H. Barnes, esq., of Detroit, has applied to this Department for authority to raise a regiment of colored troops in your State. The Department is very anxious that such regiments should be raised, and authorizes you to raise them, by volunteering under the regulations of the Department, a copy of which is directed to be transmitted to you by the chief of the Bureau, and it would be gratifying if you should give such authority to Mr. Barnes. It seems that there has been some misunderstanding upon this subject, and I am informed that you were under the impression that the Department would not authorize it. Until suitable arrangements could be made for the organization of a bureau it was not deemed advisable to raise such troops, but the organization of colored troops is now a distinct bureau in the Department, and as fully organized as any other branch of the military service, and every encouragement is given by the Department to the raising of such troops.

Very respectfully, &c.,

EDWIN M. STANTON,
Secretary of War.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
STATE OF NEW HAMPSHIRE,
Concord, July 24, 1863.

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to submit the following report upon the subject of drafting in this State:

The decision of the Solicitor of the War Department upon the question submitted by the State authorities has not been received, consequently the drafting has not commenced.

The several provost-marshals have been perfecting their arrangements to proceed with the draft when ordered.

The State and municipal authorities have also taken steps to keep the peace, but the means at the disposal of the Governor are entirely inadequate should any real disturbance take place. The militia law is so defective that he has no force at his command. I understand the only organizations under his control are four volunteer companies in different parts of the State, and these very small.

In the large towns special policemen are being employed.

I hear much said about resistance to the draft, but I do not apprehend any serious disturbances at the places and time of drafting, except in Portsmouth, where there may be more trouble, and I would therefore respectfully recommend that an additional force be ordered there.

There is one company of artillery at the fort just mustered into service. It is not deemed prudent to take all the men away from the fort. The force of marines is very small at the navy-yard, and they are needed as a guard there in case of a riot in the city. So, as a prudential measure I think it would be well to have a larger force at Portsmouth.

The trouble that I apprehend is in serving the notices on the drafted men. The provost-marshals in the First and Second Districts have informed me that there is a secret organization in the upper part of the State to prevent these notices being served.

The sale of firearms, particularly of revolvers, has been very large lately all over the State; at least it is so reported. This is significant of bad feeling and probably of bad action.

I am confident that the notifying officers will absolutely need a party with them for their own protection in many localities. Mounted men would be the most suitable. I respectfully call your attention to this matter and ask for instructions.

Governor Gilmore and Captain Godfrey, provost-marshal First District, both think I do not attach sufficient importance to the threatening aspect of affairs here. Although I am aware that there is intense hostility in this State to the present Administration, amounting almost to open rebellion in some localities, yet I think the atrocities committed by the mob in New York have shocked even the leaders and instigators of the opposition throughout the land, and that they will throw the weight of their influence on the side of law and order for their own safety and prevent any large or very serious outbreaks. But some of the malcontents will probably give trouble to the notifying officers.

I inclose a copy of a letter from Captain Pike, provost-marshal Third District, relating to the performances in Sunapee, N. H. I have sent a copy to Governor Gilmore.

I am, colonel, very respectfully, your obedient servant,

O. A. MACK,
Major and Aide-de-Camp, Actg. Asst. Provost-Marshal-General.

[Inclosure.]

PROV. MAR.'S OFFICE, THIRD NEW HAMPSHIRE DISTRICT,
West Lebanon, July 22, 1863.

Maj. O. A. MACK,
Aide-de-Camp and Acting Assistant Provost-Marshal-General:

MAJOR: I am in receipt of information that in Sunapee, in Sullivan County, in this district, a large number of persons have held meetings to consider measures for resisting the draft. They have procured a large number of guns and revolvers and meet frequently to drill. They rang the bells when news of the New York riot came and threaten to burn the buildings of the Union men in that town. I understand that William C. Sturoc, esq., a naturalized Scotchman, has harangued the people there on the subject, urging them to riotous proceedings.

I am, major, very respectfully, your obedient servant,
CHESTER PIKE,
Provost-Marshal.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, July 24, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I have received yours of the 22d instant and will be glad to confer with the acting assistant provost-marshals where there is likely to be trouble in enforcing the draft, and give them such directions as may be necessary. I think it of the utmost importance that the draft should go on steadily in districts where there is no opposition, as its successful completion in them will aid us where it is opposed.

I hope to resume the draft here at an early day and that it may be enforced without serious disturbance. But some delay is necessary, and a strong force may be needed to insure quietude. I am in daily communication with General Canby, and our views are in perfect accordance.

I have received a letter to-day from the mayor of Oswego expressing some anxiety as to that city. If you will direct the acting assistant provost-marshal in charge of the district embracing that locality to report the facts to me, I shall be better able to judge what preparation is necessary.

I am, very respectfully, yours,
JOHN A. DIX,
Major-General.

BUFFALO, N. Y., *July 24, 1863.*

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have been requested by some of the first citizens here to ask you if you cannot spare a battery from Camp Barry, temporarily, for the purpose of keeping good order in the city with reference to the approaching draft. A large number of thieves from Canada have arrived here. It is believed they will be stimulated, and perhaps armed, by the secessionists who are now stopping at the Clifton House. The presence of a light battery would do more to overawe them than anything else that could be done.

Extensive trade organizations, numbering in all about 7,000 men, exist in the city. They are hostile to the draft, and although it is not known that they intend to make any resistance to it, yet they may be drawn into doing so.

Should you conclude to have a battery sent, it is the desire to have it manned from some other part of the State in order that there may be no sympathy between the military and the rioters.

I am not on duty here but am awaiting orders, and wish it to be understood that this is written at the earnest desire of the respectable citizens here.

I am, colonel, your obedient servant,

A. DOUBLEDAY,
Major-General of Volunteers.

P. S.—If a battery is to be sent it should be by the first train in order to be in time.

A. D.

OFFICE ACTG. ASST. PROV. MAR. GEN. FOR OHIO,
Columbus, Ohio, July 24, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: There are symptoms of trouble in several districts of this State.

In the Eighteenth and in the Tenth a large Irish population are much dissatisfied and excited by misrepresentations about the drafting. I have procured the Governor to issue arms to several volunteer companies at Toledo and at Cleveland, and think that force will be sufficient to prevent any serious outbreak.

In this and the adjoining district I am satisfied that a regular organization exists which will resist the draft if it deems itself sufficiently strong.

I am constantly apprised of its movements through a detective, and will take every precaution in connection with the military to crush any outbreak, and when sufficient evidence is accumulated I purpose to arrest the leaders, some of whom hold high political places. In the First, Second, and Third Districts there are slight evidences of designed mischief, but matters there are not sufficiently developed to show to what extent we ought to be apprehensive.

I have instructed the marshals of those several districts to get all the information possible by means of their detectives of a purpose to oppose the draft, and to communicate with the military authorities in the district.

I have no reason to apprehend trouble in any other parts of the State than those named.

I have the honor to be, colonel, your obedient servant,

ED. A. PARROTT,
Colonel First Ohio Infantry, A. A. P. M. G. for Ohio.

MOHEGAN, *July 25, 1863.*

Col. J. B. FRY:

To your honor, sir, at this horrible crisis, amidst feudal corruption and shedding of blood, a very important and delicate question has

arisen upon which the destiny not only of the few but millions are hinged, therefore herein your official attention is precisely called in behalf of the Mohegan tribe of Indians now residing upon the Mohegan Reservation in the county of New London and State of Connecticut, where we have lived and possessed in a tribal form for time immemorial, and through all the vicissitudes of the past and through all the pilgrim's strife and colonial struggles for life and possession upon this continent, we have been their help, and with all we have always had the privilege of voluntarily proving to be their allies of war, and for the last 250 past years up to the present time we have with them and their descendants, now the citizens of the United States, cherished and maintained the most friendly relations toward each other, and now at this moment we are the U. S. alliance of peace alike to the North and South, East and West, and the same with all nations that we know of, and wish to remain so. We, the said Mohegan tribe of Indians, have possessed and occupied our said Mohegan reserved land in our old aboriginal Indian title for about 200 years, with definite boundaries and sequestered from any town or county in said State, and never through all the elapse of time prior to the present day have we been reckoned as citizens of any State or citizens of the United States, nor citizens of any foreign State or nation, except as members of the said Mohegan tribe and relatives to that natural and native allegiance that we were first found or discovered with; nor have we or our land ever been taxed by any State or the United States, nor any foreign State or nation on this globe. Notwithstanding all this, whether it be through incapacity or misunderstanding, your official subordinates, Mr. I. Bromley, the provost-marshal at Norwich, and H. Palmer, in the town of Montville, in said State, have taken the liberty to enroll some of the said Mohegan tribe for the present draft and without our consent, which we claim is contrary to the present conscription law and contrary to all law and reason with which we are connected in that respect.

Furthermore, we claim it is contrary to the provisions made in the Constitution of the United States respecting Indians not taxed, which may be found in article I, section 2, clause 3, and a confirmation of the same in article I, section 9, clause 4, where it may be readily perceived that we are unlawfully and unreasonably dealt with.

And now the above reasoning we hope will be taken into your official consideration, and in our behalf we solicit your favor by rejecting our names from any enrollment or draft that might be injurious to us, or whose consequences might work death to our small number that has already been reduced by war and other pestilence. Sir, we wait with intense interest for an agreeable answer to this appeal. Please direct to Norwich, Conn.

Most respectfully, yours, sir,

ANSON D. COOPER,
Indian Advocate.

ADJUTANT-GENERAL'S OFFICE,
Topeka, July 25, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: It being understood that the number of men to be drawn from each State under the pending conscription is in process of assignment, and that that number will depend upon the aggregate of

contributions heretofore made by the respective States, I address you for the purpose of informing you of the difficulties under which the authorities of this State labor in endeavoring to ascertain the number of soldiers furnished by Kansas, and to give you, if possible, an adequate idea of the extent of our contributions. It is possible, indeed, that the records, which are incomplete in this department, are complete in the office of the Adjutant-General of the Army. If so, Kansas need feel no apprehension if, as is generally thought to be the case, her full quota of men has been furnished. Fearing, however, that such is not the case, and being assured that a portion of the people of the State believe it to be the duty of this department to furnish the statistics upon which the number assigned for conscription is to be based, I have deemed it not improper to address you this letter. One serious obstacle which stood in the way of my predecessor in his efforts to secure and preserve a complete record of the regiments that were organized during his incumbency arose from the fact that several of those regiments were organized directly by Federal authority; that while the Governor commissioned the officers, the work of perfecting the several organizations was left to the agents of the Government, and there being at that time no law requiring muster-in rolls and regimental reports to be filed in this department, the regiments were removed from the State without leaving the State authorities any record of their numbers. I have observed that this difficulty has also been experienced in some of the other States.

General Orders, No. 18, Adjutant-General's Office, dated February 21, 1862, provided that "the Governors of the States are legally the authorities for raising volunteer regiments and commissioning their officers." This order was intended to remove the obstacles which had complicated recruiting operations in the several States, and would probably have done so had it been strictly observed. General Orders, No. 75, dated July 8, 1862, said:

II. Officers will be mustered into the service only on the authority of the Governor of the State to which their regiments belong.

III. Until regiments are organized and their muster-rolls completed they will be under the exclusive control of the Governors of the States, &c.

These orders were in accordance with existing laws and were manifestly just, both to the General Government and the several States. Since their issue, however, in exceptional and isolated cases, which have occurred only in this State, authority has been given to parties other than the Governor to recruit, organize, and nominate officers of regiments. This, it cannot be denied, has tended to embarrass military operations in the State. The authority so given being exclusive and original, the usual regulations governing the recruiting service were relaxed, and neither descriptive papers, muster-in rolls, nor reports of any character were filed in this department. Three regiments were thus organized during the latter part of the summer of 1862 by Hon. J. H. Lane, under the authority of the War Department. These regiments were numbered, respectively, the Eleventh, Twelfth, and Thirteenth. Although neither of these were reported to this department at the time of their organization, the muster-in rolls of the Eleventh and Twelfth (except Company A) have recently been received. The Thirteenth has never forwarded its rolls.

For recruiting purposes the State of Kansas and the Territories of Nebraska, Dakota, and Colorado comprised one district, in which the "commissioner" was to operate under his special authority. It is well known that the Governor of Nebraska refused to allow the citizens of that Territory to be enlisted under that authority, and the

"commissioner" was obliged to forego his intentions in that particular. While it is as generally known that not one man was enlisted in the Territories of Dakota and Colorado, I am credibly informed, notwithstanding, that the troops thus raised were credited to the district and not to the State. While, as I have said, Kansas furnished all the men composing those regiments, it is manifestly and grossly unjust to divide the credit with those Territories that did not contribute a man. For the reasons I have indicated, it is impossible for this department to furnish statistics showing the exact number of men furnished by the State. The number of regiments furnished and put into the field by the State is eleven (the Third and Fourth were consolidated and constitute the Tenth, which accounts for the designations reaching thirteen); also two batteries of artillery. From such partial information as I have been able to obtain, I am of the opinion that the total number of men furnished by the State will reach nearly, if not quite, 12,000. I feel positive that it cannot fall below 11,000. This calculation is based upon the strength of the several regiments according to the report of my predecessor, made December 31, 1862, and which may be considered tolerably correct, the large number of recruits since furnished to the various regiments (many of which have not been reported), and an estimate of the casualties which had occurred in each regiment from the time of its organization to the date of my predecessor's report. In addition to these one regiment of colored troops was raised in the State prior to the assumption by the War Department of recruiting for that class of troops, and has been mustered and for some time serving under Major-General Blunt. I have no means of knowing what was the strength of the regiment at the time of its muster, and it is for the Department to determine what credit is due to Kansas for raising it. The Fourteenth Regiment Kansas Volunteers (cavalry) is now in process of recruitment, but I am not advised as to the number of men enlisted at this time. By authority of the Legislature an agent has been appointed by the Governor to visit the various regiments and secure the statistics necessary for this department and for the information of all interested. This is a work requiring much time and care, and I am not able to say when it will be completed, although a report is expected at an early day. When that report shall be made I shall be able to state precisely the exact extent of the contributions of Kansas to the cause of the Union, which all concede to have been generous beyond her means. If the Department is in possession of the records showing the number of men furnished by this State, you will confer a favor by causing the information to be forwarded to this department, with the strength of each regiment at the time of its muster into the service of the United States separately designated.

I am, colonel, very respectfully, your obedient servant,

GUILFORD DUDLEY,
Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 25, 1863.

Hon. HENRY WILSON,
U. S. Senate, Washington, D. C.:

DEAR SIR: I have received yours of the 23d instant saying that there is a great feeling in Boston in regard to the decision that paying $300 only relieves a man from the draft, &c., and that your lawyers

and yourself say it is wrong, and that I had better at once announce a change in it, &c. I beg to call your attention to the following points:

First. All will agree that the object of the law is to raise men and not money. The fear that the practical working of the $300 clause might defeat the object of the law was, as you are aware, so great at one time as to incline many friends of the law, including some of those who helped to frame it, to favor a decision entirely disregarding this clause.

Second. The terms of the act, sections 13 and 17, justify the distinction made between men who pay and who furnish substitutes.

Third. As to the effect of the construction, if drafted men understand that a substitute certainly exempts them for three years, but paying $300 only exempts them, or may only exempt them, from duty under a particular draft, they will of course furnish a substitute and not money, and they are actually doing so, and thus the object of the law is attained and the wants of the Government are provided for.

Fourth. The objectionable feature in the very unpopular act is the $300 clause, and this because it is thought to be against the poor and in favor of the rich. By the construction I have given to it the poor have all the advantage which can be gleaned for them from the law, because all the rich men who pay $300 being liable to subsequent draft, the chance of the poor man being drawn is so much diminished.

Fifth. No practical case can arise until some man who has paid $300 shall be drawn in a subsequent draft.

Now, in consideration of the foregoing, what advantage would there be in construing a doubtful point of law so as to defeat the main object of the law itself, and to make the most hateful features bear harder upon the poor and easier upon the rich, and to make this construction, too, when no real case exists? It would only, so far as I can see now, gratify those who are able to pay the $300 by absolutely pledging to them beforehand more than the law gives, and this, too, when we have all agreed that the law in any sense made a discrimination in favor of that class to which the law, if not too favorable, was at least thought to be so by the poor. I hope you will agree with me in this. I shall act upon your suggestion to caution my officers in regard to their intercourse with the people.

A drafted man is in the service by being drafted; otherwise we have no hold upon him. Such being the case, how can he re-enlist, being in the service? He may be assigned as the Secretary of War may direct, but I don't see how he can volunteer or enlist. I hope that you are right that we can get plenty of men for $300, but I think you will be mistaken on this point unless the draft is effectually carried out.

The $402 offered some weeks ago has not yet brought men, though I must confess that I think it will do so hereafter. As a general thing, we expect our results too soon.

I find that whatever I publish over my own signature as an order, even after the best legal advice, which I generally get, is assailed, probably because I am not a lawyer, and I therefore intend hereafter to get everything in the form of an "opinion," and thus try and prevent as far as possible the carping of the newspapers at the law and its workings. People don't or won't appreciate the difficulties in executing this act and providing for all cases which arise under it. I shall be glad at any time to receive your views and suggestions.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., July 25, 1863.

His Excellency AUSTIN BLAIR,
Governor of Michigan, Jackson, Mich.:

SIR: I am instructed by the Secretary of War to inform you that you are hereby authorized to raise one regiment of infantry to be composed of colored men, to be mustered into the U. S. service for three years or during the war. To these troops no bounties will be paid. They will receive $10 per month and one ration per day, $3 of which monthly pay may be in clothing. The organization of the regiment must conform in all respects with the requirements of General Orders, No. 110, War Department, 1863, a copy of which is herewith.* The prescribed number of commissioned officers will be appointed in accordance with the provisions of General Orders, Nos. 143 and 144, War Department, current series, copies of which please find inclosed.† The officers thus appointed will be mustered into service on the presentation to the mustering officer of their appointments signed by the Secretary of War.

The appointments will be made to keep pace with the muster into service of the several companies. Thus, on information being received from you that the first company has been mustered into service, the necessary appointments for that company will be made. When four companies are mustered in the lieutenant-colonel of the regiment will be appointed, and so on in accordance with the Revised Mustering Regulations. To facilitate the appointment of the officers, it is respectfully suggested that it would be well to forward to the Adjutant-General of the Army, as early as practicable, the names of such persons as you wish to have examined for appointment, and permission will be immediately given them to appear before the examining board now in session in Cincinnati, or the board in session in Washington if more convenient for the parties.

I have the honor to be, very respectfully, your obedient servant,
C. W. FOSTER,
Assistant Adjutant-General of Volunteers.

BUFFALO, *July 25, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

Serious apprehensions are entertained of a riot here on account of the draft. Captain Sturgeon, U. S. mustering and disbursing officer here, has been ordered to muster out the Buffalo regiments immediately.

It is the earnest desire of our citizens, in which we join, that the Seventy-fourth Regiment, Col. W. A. Fox, be not mustered out for at least thirty days and kept on duty here.

NELSON RANDALL,
Major-General, New York Militia.
E. G. SPAULDING.
N. K. HALL.
A. M. CLARK.
P. MCMETZ, JR.

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*See p. 175. †See pp. 215, 216.

I join in the above request, but without prejudice to my application for a provost guard, which I deem absolutely necessary.

G. A. SCROGGS,
Provost-Marshal, Thirtieth District of New York.

HEADQUARTERS,
Philadelphia, Pa., July 25, 1863.

Maj. Gen. D. N. COUCH,
Comdg. Dept. of the Susquehanna, Chambersburg, Pa.:

GENERAL: Your two telegrams of the 23d instant in relation to Major-General Dana were duly received, and I have this morning received your letter of the same date by mail.

The services of Major-General Dana will, as I have already informed you, be required here in the event of the troops now on duty here being called upon for active service, and in the meantime he is also rendering assistance to Professor Bache in the construction of the works for the defense of the city, with which he has been familiar, and which duties Professor Bache requested that he should continue to perform. I will therefore avail myself of your permission to retain General Dana here for the present.

It seems from your letter just received that you had not received my letter of the 18th instant addressed to Harrisburg informing you of my having been assigned to the command here by the General-in-Chief. The receipt by you of the copy of my instructions, which I subsequently transmitted to you to Chambersburg, supplied you with the information contained in my former letter.

The draft is progressing quietly here, and we do not anticipate any different until it is attempted to take the drafted men who do not report.

I think it proper to state that I hear from different sources of a strong combination in Schuylkill County, in this State, to resist the arrest of drafted men. It is also stated by some of the citizens of Pottsville to consist of about 3,000 men, armed, and having officers who are said to be drilling them, who have been in the U. S. service. It is also stated that they have several pieces of artillery, and that they are supplied with ammunition. It may be important to consider from what direction forces are to be drawn to be sent there when the emergency may arise, and it may perhaps be well that some discreet person should be sent there to inquire about it.

Governor Curtin may perhaps have the information, or could take measures to obtain it.

Very respectfully, your obedient servant,

GEO. CADWALADER,
Major-General, Commanding.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Providence, R. I., July 25, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General of the United States:

I have delayed writing to you in reference to your decision as contained in paragraph 1, Circular 44, knowing that it was my plain duty to see that your orders were faithfully executed by the boards of enrollment in this State. I find the feeling not only among the people

but with professional men strongly against your interpretation of that clause of section 13, "Act for enrolling and calling out the national forces," in which drafted men are allowed to pay a sum to be fixed by the Secretary of War for the procuration of an acceptable substitute. I desire to lay this matter before you at this time because I feel satisfied that the 50 per cent. added to the number required to be drafted under the late call of the President of the United States will not supply the number exempted for various causes, thus rendering another draft necessary. Should my opinion prove true, there is almost a certainty that some one of those who have paid the sum of $300 and received an exemption certificate will be drafted under a new drawing. Should this be the case, it is well understood that application will be made for redress and discharge to the proper civil tribunal. A writ of habeas corpus would be obtained, and I have no doubt as to the result. I deem it my duty to apprise you of these facts, that you may anticipate every trouble and perplexity that may arise in this way.

Very respectfully, your obedient servant,

W. SILVEY,
Captain, First Artillery, Actg. Asst. Provost-Marshal-General.

HEADQUARTERS DEPARTMENT OF THE NORTHWEST,
Milwaukee, Wis., July 26, 1863.

Col. S. MILLER,
Commanding, Saint Paul, Minn.:

COLONEL: I have received a letter from the Governor of Minnesota expressing apprehension of a riot in Saint Paul in the event of a draft being made under the conscription law, and requesting that military force be at hand to prevent or suppress it. You will accordingly take means quietly to assemble such a force as will be sufficient at Fort Snelling or elsewhere at your discretion, and in the case of a demand upon you by the Governor, you will use it vigorously in quelling any riot and in protecting the U. S. officers in the performance of their duty. In using the military for this purpose you will be careful to do so as far as possible in accordance with the civil law in such cases, being guided to a great degree, and except when Federal officers require immediate protection, by the advice and wish of the Governor.

I am, colonel, respectfully, your obedient servant,

JNO. POPE,
Major-General, Commanding.

BOSTON, *July 26, 1863.*

Colonel FRY:

MY DEAR SIR: It is reported that colored persons are not received as substitutes for white persons under the conscript act. If this be so I am at a loss to understand by what authority.

It was a part of the glory of this act that it made no distinction of color. If any such distinction be made under it, I cannot consider it otherwise than an interpretation utterly without sanction. It would follow therefore, first, that a colored substitute can be taken as well as a white substitute. Indeed, a substitute is a substitute whether black or white. Second, that all persons drafted must have the same pay. Here again there can be no distinction of color.

On ground of policy, it seems to be obvious that colored substitutes should be encouraged. Give me the slave as soldier rather than his master. If not too late, I hope this matter will be carefully examined; but it never can be too late to give a proper interpretation to a most important statute.

Believe me, dear sir, faithfully yours,

CHARLES SUMNER.

[JULY 26 (?), 1863.]

Col. JAMES B. FRY,
Provost-Marshal-General:

DEAR SIR: I am constantly pressed with inquiries about the rule upon which the draft is made in different districts. You will oblige me if you will send by General Waterbury, who is a member of my staff, a few statements which will [be] of great service to me. I understand from Governor Morgan that the number of persons in each district liable to duty is ascertained by enrollment; that they are divided into two classes by age; that the draft in each district is a certain percentage upon the number thus enrolled. If this is the rule I wish you would so state it to me. Any information you can give to General Waterbury with propriety I hope you will afford him.

Truly yours,

HORATIO SEYMOUR.

CIRCULAR No. 57. } WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., July 27, 1863.*

The following "opinion" in relation to that part of section 2 of the enrollment act which says "where there are two or more sons of aged or infirm parents subject to draft, the father, or if he be dead, the mother, may elect which son shall be exempt," is published, and will hereafter govern:

"The only son of aged and infirm parents dependent, &c.," is absolutely exempt; but where there are two sons, both are subject to draft until an election is made by the parent, and the name of the one elected should be removed from the list. After the draft is made the persons drafted are no longer "subject to draft," but to duty, and a parent cannot secure the practical exemption of two sons from military duty by waiting until one is drafted and then electing to exempt him.

JAMES B. FRY,
Provost-Marshal-General.

CONFIDENTIAL.] WASHINGTON, D. C., *July 27, 1863.*

Maj. Gen. E. R. S. CANBY,
Commanding, &c., New York City:

GENERAL: Major-General Dix has made several applications for large re-enforcements to be sent to New York. I have none that I can send unless I take them from General Meade's army in the field. Should this be done, and he should be defeated, there will be a howl throughout the country against the Administration at Washington.

Do you consider re-enforcements absolutely necessary; and if so, what is the minimum required?

Yours, truly,

H. W. HALLECK,
General-in-Chief.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., July 27, 1863.

His Excellency SAMUEL J. KIRKWOOD,
Governor of Iowa, Des Moines, Iowa:

SIR: I am instructed by the Secretary of War to inform you that you are hereby authorized to raise one regiment of infantry to be composed of colored men, to be mustered into the U. S. service for three years or during the war.

To these troops no bounties will be paid. They will receive $10 per month and one ration per day, $3 of which monthly pay may be in clothing.

The organization of the regiment must conform in all respects with the requirements of General Orders, No. 110, War Department, 1863, a copy of which is herewith.*

The prescribed number of commissioned officers will be appointed in accordance with the provisions of General Orders, Nos. 143 and 144, War Department, current series, copies of which please find inclosed.† The officers thus appointed will be mustered into service on the presentation to the mustering officer of their appointments signed by the Secretary of War. The appointments will be made to keep pace with the muster into service of the several companies. Thus, on information being received from you that the first company has been mustered into service, the necessary appointments for that company will be made. When four companies are mustered in the lieutenant-colonel of the regiment will be appointed, and so on in accordance with the Revised Mustering Regulations.

To facilitate the appointment of the officers, it is respectfully suggested that it would be well to forward to the Adjutant-General of the Army, as early as practicable, the names of such persons as you wish to have examined for appointment, and permission will be immediately given them to appear before the examining board now in session in Cincinnati, or the board in session in Washington if more convenient for the parties.

The necessary supplies will be furnished by the respective departments upon requisitions approved by you.

I have the honor, &c.,

C. W. FOSTER,
Assistant Adjutant-General.

NOTE.—If you should find it impracticable to raise a full regiment, any number of companies less than that required for a regimental organization will be accepted.

IOWA CITY, *July 27, 1863.*

Hon. E. M. STANTON:

I would much prefer the Seventh Iowa Cavalry should not leave until the draft is over. I fear some trouble, and would rather prevent than put it down. Please answer.

SAML. J. KIRKWOOD.

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*See p. 175. †See pp. 215, 216.

COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE DEPT.,
Boston, July 27, 1863.

Hon. E. M. STANTON,
Secretary of War:

MY DEAR SIR: I wish I could see you five minutes, but I cannot; I must write. Your telegram declining to let drafted men volunteer in some existing or authorized organization surprised me. I have been over the ground orally with Mr. Whiting, and he advises that I write you, deeming my telegram an insufficient presentation of the case.

First. Drafted men do by law of United States stand, as to pay, bounty, and all rights, on the same footing with volunteers. Therefore the Government of the United States loses nothing in allowing them to volunteer.

Second. The men gain something, for if volunteers I can pay them $50 State bounty when they shall have joined a regiment in the field. They have also the satisfaction of standing in the category of volunteers, which is a good deal to many minds. If in any way the feelings of the people can be consulted, in a matter so grave and coming so near to their tenderest emotions both of affection and honor, as well as of patriotism, I cannot but feel it ought to be done.

Again, many men who unless called by draft or act of law, would not volunteer, are yet willing to go into service when the country, by the voice of the law, does call them.

Unwilling to assume the responsibility of electing themselves to be soldiers—leaving behind them all their domestic and social obligations and taking their lives in their hands—they are notwithstanding willing to be soldiers when duly elected by no act of their own. Accepting the decree of the law as their rule of duty they will march voluntarily, willingly, and why then should they march as by compulsion? There are many cases, too, of hard poverty, which I want to relieve and ought to relieve by the good a single $50 would do a poor woman and her children. It might not be much to some, but it is much to them. And in these days when, by necessity, great powers and high prerogatives are used by officers of Government, both State and National, I desire above all things that we should always soften their asperities and scatter a few gleams of sunshine over the grim face of war, by every act and every legal construction within our power (and with constant leanings in that direction) suggested by a gentle, graceful kindness. So, therefore, at the risk of seeming too persistent, not being able to see why my proposition is not right, and hoping I may thus bring more clearly before your mind the precise point at which I aim, I have thus written.

And I am, respectfully and obediently, yours,

JOHN A. ANDREW,
Governor of Massachusetts.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Detroit, July 27, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: In continuance of previous reports made pursuant to your telegram of 13th instant I have the honor to report that for the reasons heretofore given the enrollment in two districts, the Fourth and

Sixth, yet remains incomplete, and I would suggest that when the Department is ready to order a draft in this State it be executed in the four districts in which the enrollment is completed, without waiting for the completion of the Fourth and Sixth. I have received reports from provost-marshals of other districts that difficulty and trouble are apprehended when the draft is ordered, and applications have been made to me for arms; but, the draft executed in this city, there will be but little trouble in other parts of the State, and it would be well, I think, to commence the draft in the First District, and, after being executed here, to begin it in other districts. This would enable me to send from the force now in this vicinity a company to each other district headquarters.

Very respectfully, your obedient servant,

B. H. HILL,
Major, Second Artillery, A. A. P. M. G. for Michigan.

CONCORD, N. H., *July 27, 1863.*
(Received 9.30 a. m. 28th.)

Hon. E. M. STANTON:

SIR: A martial spirit is being infused into the loyal mind of New Hampshire and I desire to encourage it. Militia organizations upon which the country must rely to enforce all laws are rapidly springing into existence. I require your order for 800 more Springfield rifled muskets and 1,000 sets of infantry equipments complete, with which to stimulate the organization of loyal companies. Send me Springfield arms.

J. A. GILMORE,
Governor.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Elmira, N. Y., July 27, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

I am in receipt of communication from Buffalo relative to the danger threatened if the draft is proceeded with, addressed to you and returned to me. I am also in receipt of numerous other communications direct from citizens of Buffalo, in which it is insisted that the draft shall be put off until it is completed in New York. It is natural that men of property should be alarmed. I am satisfied, however, that they very much magnify the danger. I shall go there to-night, and I believe I can make such arrangements with the civil authorities as will satisfy them with what force we may be able to send from here.

I have the honor to be, your obedient servant,

A. S. DIVEN,
Acting Assistant Provost-Marshal-General.

SYRACUSE, N. Y., *July 27, 1863.*

General FRY:

DEAR SIR: I wish to say that representation from cowardly persons being made to you that in case of draft at this place a riot will follow

is all got up for effect. Those having a disposition to riot will not, nor dare, attempt anything of the kind. We have the men and means to draft any day you order it done. Our provost-marshal was formerly a country merchant, and has become quite timid from what is told by persons who amuse themselves by intimidating him. I am informed that he will resign unless the persons succeed in getting the draft postponed who have gone to Washington for that purpose.

The draft will go on as soon as you order it. No person will escape who may try to obstruct it in any way. Our provost-marshal is one of the finest of men, but wholly unfit for the place.

Yours,

R. R. LOWELL,
U. S. Deputy Marshal.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 27, 1863.

Brig. Gen. WILLIAM D. WHIPPLE,
Philadelphia, Pa.:

GENERAL: I have the honor to acknowledge receipt of your communication of the 23d instant recommending that the draft be postponed in Schuylkill County, Pa., and vicinity for the present, and that when it is undertaken it should take place at Pottsville and in presence of a large force, in view of the opposition meditated by a large number of armed men in that vicinity organized to resist the carrying out of that law.

I have to state in reply that I approve the course you recommend taking to enforce the draft in that vicinity. I would also state that the two companies of the Invalid Corps stationed at Pottsville are there for the present to guard the headquarters of the district and not to enforce the draft.

I am, general, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

HEADQUARTERS DEPARTMENT OF THE NORTHWEST,
Milwaukee, July 27, 1863.

Hon. EDWARD SALOMON,
Governor of Wisconsin, Madison:

GOVERNOR: The War Department declines to permit any of the old Wisconsin regiments to be brought back to the State. They cannot be spared from the armies in the field. We are therefore left to what force can be provided here for protection in the event of difficulty in enforcing the conscription law. No draft has been ordered, nor do I think there will be for some time. I will notify you privately at least a week in advance.

I have sent up for two companies of the Thirtieth at Bayfield and Superior, and for two companies of the same regiment on the Missouri River. I have also directed the commanding officer at Saint Paul to bring down two companies to that place and hold them in readiness. When the draft is ordered I can, therefore, have here at least eight companies; besides these, there are here eighty men enlisted for the artillery, with reliable officers. I will get you in a day or two to send

down two of the pieces of artillery for them. I have armed them for the present with muskets. What force will you require at Madison, and what militia force have you there; or can you bring them on an emergency, having five days' notice? We shall to some extent have to rely upon militia if there are any very serious disturbances. In the rural districts a very few men will be sufficient, whilst in some of the large towns it may perhaps be necessary to have considerable force. I would be glad to know at your convenience what you can do in the way of militia, and should be glad also to have your views on the subject.

I am, Governor, respectfully, your obedient servant,

JNO. POPE,
Major-General, Commanding.

GENERAL ORDERS, No. 236. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, July 28, 1863.*

1. A bureau will be attached to the War Department, to be designated the Cavalry Bureau.

2. This bureau will have charge of the organization and equipment of the cavalry forces of the Army, and of the provision for the mounts and remounts of the same.

3. The purchases of all horses for the cavalry service will be made by officers of the Quartermaster's Department, under the direction of the chief of the Cavalry Bureau. Inspections of horses offered for the cavalry service will be made by cavalry officers.

4. Depots will be established for the reception, organization, and discipline of cavalry recruits and new regiments, and for the collection, care, and training of cavalry horses. These depots will be under the general charge of the Cavalry Bureau.

5. Copies of inspection reports of cavalry troops, and such returns as may be at any time called for, will be sent to the Bureau established by this order.

6. The enormous expense attending the maintenance of the cavalry arm points to the necessity of greater care and more judicious management on the part of cavalry officers, that their horses may be constantly kept up to the standard of efficiency for service. Great neglects of duty in this connection are to be attributed to officers in command of cavalry troops. It is the design of the War Department to correct such neglects by dismissing from service officers whose inefficiency and inattention result in the deterioration and loss of the public animals under their charge.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 237. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, July 28, 1863.*

The following instructions, intended to promote the efficiency of the cavalry service, are promulgated for the guidance of all concerned:

I. Inspections will be made of all cavalry troops at the end of every month, reports of which inspections will be forwarded without delay,

through the army or department commander, to the head of the Cavalry Bureau at Washington. These reports will exhibit the condition of the cavalry service in general, and especially the condition of the mounts. The reports shall state what service the troops inspected have done since last inspected; how many miles their horses have traveled within the month; what character of service has been required of them, and under what circumstances it has been rendered; what appears to have been the care taken of them, as regards treatment, shoeing, &c.; what has been the quantity and character of the rations of forage issued to them; if there have been any deficiency of forage, and who is responsible therefor, &c.; and shall convey any other information pertaining to the objects of the inspection which it may be advisable should come to the notice of the Bureau.

II. Inspection reports shall divide cavalry horses into four classes:

1. Those which are to be condemned as unfit for any use whatever in any branch of the service. With regard to this class, proceedings are to be had as required by existing regulations.

2. Those now unfit for cavalry service and not likely to be efficient again for such service, which may be used for team or draft horses, or for herding purposes. Horses of this class are to be turned in to the Quartermaster's Department.

3. Those which are now unfit for service or nearly so, but which, by timely care and treatment in depots, will regain condition. Such horses are to be sent to such depots as may be established for the Army, to be replaced by an equal number of good animals from the depots. As soon as serviceable the horses turned in will be eligible for reissue.

4. Serviceable horses.

The number of each class of horses will be given in every report of inspection for each troop in the service.

III. A suitable number of officers of the Quartermaster's Department will be directed to report at once to the chief of the Cavalry Bureau, to be charged with disbursements for the objects of his Bureau, under his direction.

IV. Purchases will be forthwith made of a sufficient number of horses to meet the present and the prospective wants of the service up to September 1, 1863, and the horses placed in depots for issue from time to time.

V. Requisitions for remounts will be made through the intermediate commanders on the chief of the Cavalry Bureau, who will give orders on the depots for the horses needed to fill them.

VI. Officers of the Quartermaster's Department assigned to duty under the orders of the chief of the Cavalry Bureau will make their reports and returns of money and property, as required by existing laws and regulations, to the accounting officers of the Treasury and to the Quartermaster-General, and will also make to the chief of the Cavalry Bureau such reports and returns as he may require for his information.

Estimates for funds will be submitted to the chief of the Cavalry Bureau for his approval before being finally acted upon by the Quartermaster-General.

VII. Maj. Gen. George Stoneman is announced as the chief of the Cavalry Bureau in Washington.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 238. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, July 28, 1863.*

I. Hereafter before approving the tenders of resignation of disbursing officers commanding generals will cause all public money and property in their hands to be turned over to some proper officer designated to receive the same; and the fact that such action has been had will be indorsed on the resignation, and reported besides to the head of the proper staff department at Washington.

II. The resignation of officers of volunteer service will only be accepted under paragraph 1647, General Regulations, upon their exhibiting satisfactory evidence from the head of the Ordnance Department and the proper accounting officers of the Treasury that they have made all prescribed returns and are in nowise indebted to the United States on account of ordnance.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 239. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, July 28, 1863.*

In mustering troops into the service of the United States the non-commissioned officers of companies must not be mustered in until their respective companies have the number of enlisted men required by General Orders, No. 110, current series, from this office.

Until the muster of a company (under par. 86, Mustering Regulations) has been completed the non-commissioned officers thereof cannot be appointed. (See par. 73, p. 18, Army Regulations of 1861.)

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 244. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, July 28, 1863.*

I. All general officers will make a monthly report to the Adjutant-General of all aides-de-camp attached to their staff, whether taken from regiments, additional aides, or aides appointed under the act of July 17, 1862, on staff of corps commanders.

II. All officers of the volunteer general staff will report monthly by letter to the Adjutant-General of the Army. Their reports will state, if on duty, what the duty may be, and by whose order they were so placed on duty. If not on duty, for what cause and by whose authority they are absent. This requirement concerns all general officers, as well as quartermasters, assistant adjutants-general, commissaries of subsistence, aides-de-camp, &c.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 245. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, July 28, 1863.*

1. All recruiting for infantry and artillery regiments of the Regular Army will hereafter be under the charge of the superintendent of the general service, who shall be a brigadier-general of the Regular Army.

2. The superintendents of the regimental recruiting service shall be assistants to the superintendent of the general service, and shall command the depots of their regiments as at present located.

3. No more than two officers shall be detailed from each of the first ten infantry regiments, nor six from each of the remaining nine.

4. No more than three officers shall be detailed from each of the first four artillery regiments, nor four from the other one.

5. All officers and enlisted men who may become incapacitated for field service by wounds or disease, but who are still able to perform garrison or light duty, will be organized into invalid companies for the regiments to which they belong, and considered as constituting the permanent garrisons of their regimental depots.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR No. 59. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., July 28, 1863.*

Whenever any drafted man shall show to the Board of Enrollment of the district in which he may have been enrolled that he was improperly enrolled, having been, when enrolled, an alien, a non-resident of the district, not of proper age, or in the service on the 3d of March, 1863, he shall be discharged by the Board, and his place in the quota shall not be filled from the 50 per cent. drawn in addition to the quota to supply vacancies created by exemptions arising under the second section of the enrollment act.

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 28, 1863.

Capt. HENRY A. SCHEETZ,
Provost-Marshal, Washington, D. C.:

CAPTAIN: I inclose herewith letter* to the Board of Enrollment of the District of Columbia, directing that a draft be made out on that District for 3,865 men of the first class. You will see that the Board make the draft immediately upon being ordered to do so, and that the drafted men are notified with the least possible delay to appear at District headquarters.

* * * * * * *

Call on General Martindale and inform him that you have received orders for draft in the District of Columbia, and that you are prepared to enter on the execution of it, and request the general to make such suggestions and arrangements as he may deem best to secure a proper enforcement of the draft.

I am, captain, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

(Similar letter sent to Captain Wilmer, Delaware, for 1,636 men.)

*Omitted.

CHICAGO, *July 28, 1863.*

Hon. E. M. STANTON:

Much inquiry is made as to the raising of colored regiments in Illinois. Is Maj. George L. Stearns authorized to raise such regiments in this State? Please advise me what is the course to be pursued in this State on this subject.

RICHD. YATES,
Governor.

WAR DEPARTMENT,
Washington City, July 28, 1863.

Governor YATES,
Chicago:

Major Stearns is assigned to duty in this Department as general recruiting agent for recruiting colored troops in the Northern States, and as such his acts are recognized. The Department is anxious to raise colored troops wherever it can be done. If you can raise one or more regiments, authority will be given you to do so under the general regulations of the Bureau having charge of that branch of service.

EDWIN M. STANTON,
Secretary of War.

INDIANAPOLIS, IND., *July 28, 1863.*

E. M. STANTON:

A company of one hundred, ready to be mustered in with their own horses, is ordered for twelve-months' service on the Ohio River border for scouting, watching guerrillas, and guarding fords. I request you to accept them. Generals Burnside and Willcox urge formation of such companies. Officers await your decision, which I trust will [be] favorably to these views.

O. P. MORTON,
Governor.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 28, 1863.

His Excellency HORATIO SEYMOUR,
Governor of New York, Albany, N. Y.:

SIR: I have the honor to acknowledge the receipt this day of your note by the hand of General Waterbury of your staff requesting that I will send by him a few statements in relation to the rules upon which the draft is made.*

I have given to General Waterbury as full verbal information as he desired on all points connected with the draft, and have furnished him with transcripts from such of the records in my office as he deemed of importance to you. I presume he will communicate fully with you in regard to the interview we have held, but there are one or two points which it may be best for me to mention in this letter.

The enrollment has, so far as I can judge, been made in accordance with the law, and is as nearly correct as it could, in the nature of things, have been made. In its main features in the city of New York it agrees very well with the enrollment made last year by General Anthon.

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*ily 26], p. 575.

No given number has been fixed as the quota of men to be drafted from the United States or any particular State. The rule is to take one-fifth of the enrolled men of the first class in each and every Congressional district as the quota for that district without regard to other districts of the State or to other States.

If in the enrollment of a district names which should have been entered are omitted through neglect, accident, or design, the General Government is alone the loser, as it calls for one-fifth of the enrolled men of first class in that district, whether it be many or few. It is in this particular that the imperfections of the enrollment are to be found, but, as stated, no district or class of men suffer from it.

It may be, however, though I don't think it is the case to any great extent, that in some districts non-residents and aliens have been enrolled, but if such is the case no hardship to the district or people is likely to arise from it, as all such if drawn in the draft will be discharged, and their places are not to be filled by the district, the 50 per cent. additional being called for only to supply vacancies caused by exemptions granted under the law to residents of the district.

In assigning quotas to districts of States which States have heretofore furnished an excess of troops, the said excess is distributed pro rata among the districts and deducted from their quotas.

You will perceive from the foregoing that whether the enrollment is or is not perfect, no injustice or hardship results to the people of the States or districts by the method adopted of assigning quotas, though the General Government would not get so many men as it would if the enrollment could be made absolutely perfect. Errors will be corrected whenever they may be discovered or pointed out.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

HEADQUARTERS CITY AND HARBOR OF NEW YORK,
City of New York, July 28, 1863.

The GENERAL-IN-CHIEF,
Washington, D. C.:

SIR: I have the honor to acknowledge the receipt of your communication of yesterday. Assuming, as in my judgment we should, that the enforcement of the draft will be resisted and that this resistance may take the form of an insurrection against the General Government, it will be prudent to re-enforce the troops now here to such an extent as will secure the forts in the harbor against any sudden seizure by the mob or by insurgents.

The volunteer recruits in this neighborhood and the State militia furnish in numbers a sufficient force for this purpose, but it is still questionable how far the local troops may be relied on in the event of an outbreak. The State authorities have not yet declared themselves with sufficient distinctness to deprive the disaffected of all hope of sympathy, if not of assistance, in any movement they may undertake, and it is to be apprehended that they may not do this until it is too late. If the proper course is adopted by them there will be no serious trouble. If it is not, there will be, and it will not be safe to allow the control of the harbor to depend in any degree upon this chance.

I think the minimum force required for this purpose will be four regiments of infantry of medium strength—2,000 or 2,400 men—and they should be drawn from the troops that will not sympathize with

any local excitement, as that will enable us to employ without danger some portion of the volunteer recruits now in this neighborhood.

The contingency may not occur, and in that case the troops may soon be returned, but the lesson will not be thrown away.

Very respectfully, sir, your obedient servant,

ED. R. S. CANBY,
Brigadier-General, Commanding.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 28, 1863.

Maj. A. S. DIVEN,
Provost-Marshal, Buffalo, N. Y.:
(Care of Capt. G. A. Scroggs.)

Colonel Marshall, at Rochester, telegraphs that he has received strong appeal for 300 men for Buffalo, and that he is called upon in every district. So far as I can understand, your operations are not such as to provoke disturbance or render a military force necessary in so many districts at this time, and you had better not let an excitement be created by unnecessary movements of troops. I have told Colonel Marshall to communicate with you and to comply with your suggestions as to when and where to send troops. Communicate with him. Four companies Invalid Corps left Louisville by rail yesterday to report to you at Elmira.

JAMES B. FRY,
Provost-Marshal-General.

PROV. MAR.'S OFFICE, THIRTIETH DISTRICT OF NEW YORK,
Buffalo, July 28, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I am in receipt of your telegram of this day relative to requests on Colonel Marshall, of Rochester, to furnish troops to protect against disorders. If you were to listen to all the reports of danger and demands for protection, you would not have troops enough to secure order in Western New York though you were to break up the Army of the Potomac. And yet I answer you I cannot see the slightest symptom of disorder. Wherever the draft is undertaken it goes on quietly. I do not like to disregard the admonitions of the whole community, the shrewd as well as the weak. I think I am sufficiently prudent and will do everything in my power to satisfy the people and allay their fears except giving up the draft; that I will not do unless directed by you. I found when I reached here this morning rumors of a riot in Lockport, and that a company of the Seventy-fourth Militia, still waiting here to be mustered out, had gone down. I saw Colonel Fox on his return and he said all was quiet. I shall go down to Lockport to-night and from there to Rochester, and if I can see anything to alarm me I will let you know. I think if Colonel Marshall gives protection to the draft in Rochester, and satisfies the fears of the citizens there, he will do good service. I requested him this morning, when I heard there was a riot in Lockport, to send a guard with some arms I had sent to that place and that would pass through Rochester this morning. I thought if there was a riot there the arms might fall into the hands of rioters.

These arms safely there, and with the arrangement I have with the sheriff of Niagara County, I do not entertain any fears of a Lockport riot. Be sure that I will communicate by telegraph any cause of alarm that presents itself to me.

I have the honor to be, &c.,

A. S. DIVEN,
Acty. Asst. Prov. Mar. Gen., Western New York.

PROV. MAR.'S OFFICE, THIRTIETH DISTRICT OF NEW YORK,
Buffalo, July 28, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

DEAR SIR: This will be handed you by William Wilkenson, esq., of this city. He is a gentleman of high respectability, who has been selected by the citizens to present to the Government the condition of the city and the means deemed necessary to secure its tranquillity.

There is no doubt but that the community is seriously alarmed, and nothing but the presence of a small military force will establish confidence. If you can place at the disposal of the provost-marshal 500 men, it will establish confidence in the minds of the orderly and show to any disorderly or riotously disposed persons that the Government is prepared to enforce the law.

Your obedient servant,

A. S. DIVEN.

CIRCULAR No. 60. WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, July 29, 1863.

* * * * * * *

II. Boards of Enrollment are informed that no limits of stature are established for drafted men and beyond which they shall be exempted from military service. The matter of stature should be considered by the Board only in the general examination as to the physical fitness of the man for military service.

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JAMES B. FRY,
Provost-Marshal-General.

QUARTERMASTER-GENERAL'S OFFICE,
Washington City, July 29, 1863.

Brig. Gen. R. ALLEN,
Chief Quartermaster, Saint Louis, Mo.:

GENERAL: I have received and attentively considered the report to you of Col. L. B. Parsons of 23d of June last upon steam-boat transportation on the Western rivers. The views therein presented appear to be judicious, and the department is desirous of inaugurating a system by which they may be brought into practical operation. You will instruct Colonel Parsons to prepare and submit for your revision, and for transmission to this office, a draft of the instructions or orders which it may appear to him to be necessary to issue from this office, or that of the Adjutant-General, for this purpose.

I am, very respectfully, your obedient servant,

M. C. MEIGS,
Quartermaster-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 29, 1863.

Lieut. Col. JAMES OAKES,
Fourth Cav., Actg. Asst. Prov. Mar. Gen., Springfield, Ill.:

COLONEL: I am directed by the Provost-Marshal-General to acknowledge receipt of your communication of the 23d instant, and to say that he desires you to avoid all unnecessary collisions with the people, and to instruct the officers and men under your supervision to do the same, in the present condition of things, as much as possible; but at the same time he does not wish you to permit the Government interests to suffer. The course which you have heretofore pursued is approved.

I am, colonel, very respectfully, your obedient servant,
HENRY STONE,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington, D. C., July 29, 1863.

Governor MORTON,
Indianapolis:

The scouting cavalry for twelve-months' service mentioned in your telegram will be accepted. The Provost-Marshal-General will issue mustering orders. I reply to your letter by mail.

EDWIN M. STANTON,
Secretary of War.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 29, 1863.

His Excellency JOHN A. ANDREW,
Governor of Massachusetts, Boston, Mass.:

SIR: The letters of the adjutant-general of Massachusetts of June 25 (intended for July 25) and July 27, with the tables accompanying them, have been received and carefully considered.* The table of July 25 gives a list of 297 towns claiming a surplus of 4,546 men, three-years', and 2,713 nine-months' men; a total of 7,259 over all calls upon 297 towns of Massachusetts. The table of July 27 gives a list of 3,413 three-years' men furnished by 294 towns included in the 297 above referred to, which increases the aggregate of three-years' men to 7,959. But the letter of the 27th gives a total of 3,413, while that of the 25th gives but 2,713 as nine-months' men, which takes away all surplus of nine-months' and adds 700 three-years' men, and I do not fully understand how to reconcile the two letters and how to ascertain what is the surplus claimed. A careful revision of the muster-rolls of all troops furnished by the State of Massachusetts has been made in the office of the Adjutant-General of the Army, and is considered to be the official statement upon which all questions of excess or deficiencies are to be discussed.

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*Table omitted in view of recapitulation here given.

The statement shows a deficiency under the calls of 6,301 three-years' men arising as follows:

Dr.		Cr.	
Quota under call of 1861	34,868	Furnished under call of 1861:	
		31 regiments infantry	26,148
		Cavalry	1,857
		Artillery (8 batteries)	1,235
		Sharpshooters	208
		Recruits to August, 1862	2,279
		Under call of 1863 for 300,000 volunteers:	
		9 regiments infantry	10,123
		5 batteries artillery, 3 companies heavy artillery	1,187
		Recruits since August, 1862	5,209
Total under call for 300,000 volunteers, July 2, 1862	19,080	Total furnished	48,246
		Deficiency	5,702
Total called for	53,948		53,948

These are all three-years' men.

Of nine-months' men the quota under call of 300,000 militia per General Orders, No. 94, is 19,080.

Furnished 16 regiments infantry	16,685
Deficiency	2,395
	19,080

Reducing nine-months' to three-years' men, 2,395 nine-months' men equal to 599 three-years' men. Deficiency in three-years' men, 5,702. Total deficiency, 6,301 in terms of three-years' men.

Now, this deficiency cannot all be charged to the towns which are not included in the lists of July 25 and 27.

It is understood that there are 341 towns in Massachusetts, and it would appear that of them all but forty-four are in excess. You will therefore perceive the great discrepancy between the records of the adjutant-general of Massachusetts and the muster-rolls on file in the Adjutant-General's Office in this city. This doubtless arises from the fact that men raised in towns of Massachusetts have not been mustered and have never really been in the service of the United States, and the only plan I can devise to arrive at any means of ascertaining the real number of men to be credited to any town will be to compare the names of all the men the town claims to have raised with the names of all the men mustered into the U. S. service from those towns, as shown by the muster-rolls. This could be done by sending here the adjutant-general of the State with the list of names, and though it would involve considerable labor, I think with the facilities which could and would be cheerfully rendered here an accurate list of the exact number furnished and mustered into the service from each town could be obtained. Of the importance of having such a list it is hardly necessary to speak, as it would afford a satisfactory basis for the settlement of present questions at issue and aid in the determination of any that may arise.

It is proper to state also that the deficiency of 6,301 has not been considered in making up the quotas under the present draft.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL
FOR STATE OF PENNSYLVANIA,
Harrisburg, Pa., July 29, 1863.

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to ask, now that the draft is so well advanced in Philadelphia, if it would not be advisable to commence putting troops in position at Pottsville or vicinity for operations in the mining districts. There is some pressure there now, I believe, and the presence of 500 men would perhaps answer present necessities. A force of about 2,000 men will be required there, and if the affairs at Scranton and in the southern parts of Luzerne and Columbia Counties, and indeed of the whole of the coal regions, be considered in one plan of operations, a larger force will be necessary to guard strongly the communications by bridges, railroads, &c. I presume that when the full force shall be sent to Pottsville that additional troops will have to be sent to the other points spoken of. I expect to hear from General Couch, commanding Department of the Susquehanna, as soon as the policy is settled as to the time to commence to enforce the enrollment in those localities, and which is now respectfully referred to you.

Very respectfully, your obedient servant,
J. V. BOMFORD,
Lieut. Col. 16th U. S. Infty., A. A. P. M. G. for Pennsylvania.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 30, 1863.

Maj. THOMAS M. VINCENT,
Adjutant-General's Office, Washington, D. C.:

MAJOR: I have the honor to inform you that orders for draft have been sent to the boards of enrollment in the following States and districts upon the dates below mentioned:

Date.	State.	District.	Number of men.
July 20	Maine	Fifth	2,190
24	New York	Twenty-eighth	2,177
28	....do	Thirty-first	1,753
13	Pennsylvania	First	2,080
24	....do	Second	3,154
30	....do	Fourteenth	2,148
30	....do	Fifteenth	2,349
30	....do	Seventeenth	1,915
30	....do	Eighteenth	2,408
30	Delaware		1,636
28	District of Columbia		3,685

I am, major, very respectfully, your obedient servant,
GEO. D. RUGGLES,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., July 30, 1863.

His Excellency SAMUEL J. KIRKWOOD,
Governor of Iowa, Iowa City, Iowa:

SIR: I am directed by the Secretary of War to acknowledge the receipt of your letter of the 24th instant, making certain inquiries in relation to recruiting and organizing colored volunteers.

In reply thereto I beg leave to invite your attention to Department letter of July 27 addressed to Your Excellency, which letter was written at the request of Hon. J. B. Grinnell, M. C.

The letter above referred to will supply nearly all the information called for in your letter of the 24th, and it only remains to reply to such questions as are not provided for there.

Any number of companies less than a regiment that you can raise will be accepted.

The troops raised under the authority given you in Department letter of the 27th instant will be credited to the State against any future draft.

The pay of the commissioned officers will be the same as that of other officers in the volunteer service.

I have the honor, &c.,

C. W. FOSTER,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, July 30, 1863.

His Excellency JOHN A. ANDREW,
Governor of Massachusetts, Boston:

DEAR SIR: Your letter of 27th instant has been received and carefully considered. The subject referred to has been as maturely and anxiously reflected upon as any other question arising under the act to call out the national forces. The re-examination of the question has been influenced by my desire to conform to the views of one in whose patriotism and judgment I have great confidence. I am unable, however, to arrive at the conclusion which you desire. While I feel the force of your wish to increase the bounty, and thus render the law acceptable, as far as possible, allow me to suggest that this consideration may have induced you to lose sight of other considerations affecting the law that might hazard the general interests of the service.

You are aware that in the present condition of our armies it is absolutely necessary to fill up the old regiments. There is no question upon which the minds of all acquainted with the service are more fully agreed than upon this point. The draft now being made is only for the number estimated to be required for that purpose. The law has given to the President the power to assign the drafted men to such regiments in their respective States as he may deem proper. The volunteer principle and the principle of the draft are different in this—that the volunteer chooses his position; whereas under the draft it is assigned to him by the national will, speaking through the Executive. If the volunteer principle is ingrafted into the act of Congress, it is incorporating a feature into the act which is not authorized by Congress. I think it the duty of the Department simply to execute the law. If drafted men may by becoming volunteers change their position in one particular, it may lead to fresh demands in others. They may require to be organized into new regiments, and thus leave the old regiments unfilled. I see no safety but to adhere to the law and not open the door to an infinite variety of consequences, the disturbing influences of which may not be readily controlled. While, therefore, I duly appreciate your feelings, I am

unable to yield my judgment; and although your suggestions may be an improvement on the law, I do not feel at liberty to adopt them.

I am, very truly, yours,

EDWIN M. STANTON,
Secretary of War.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, July 30, 1863.

His Excellency HORATIO SEYMOUR,
Governor of the State of New York:

SIR: As the draft under the act of Congress of March 3, 1863, for enrolling and calling out the national forces, will probably be resumed in this city at an early day, I am desirous of knowing whether the military power of the State may be relied on to enforce the execution of the law in case of forcible resistance to it. I am very anxious that there should be perfect harmony of action between the Federal Government and that of the State of New York, and if, under your authority to see the laws faithfully executed, I can feel assured that the act referred to will be enforced, I need not ask the War Department to put at my disposal for the purpose troops in the service of the United States.

I am the more unwilling to make such a request, as they could not be withdrawn in any considerable number from the field without prolonging the war and giving aid and encouragement to the enemies of the Union at the very moment when our successes promise, with a vigorous effort, the speedy suppression of the rebellion.

I have the honor to be, very respectfully, your obedient servant,

JOHN A. DIX,
Major-General.

MADISON, WIS., *July 30, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

It has been talked positively in many papers that the Governor of New Jersey had obtained permission to raise the quota of drafted men by volunteering, and thirty days had been allowed for that purpose before draft should be executed in that State. If that is true I urgently request the same privilege for Wisconsin. If allowed there it would seem unjust and create trouble not to allow it here. If not true I wish to announce the fact.

Answer immediately and give us the same privilege of volunteering granted to any other State without further request.

EDWD. SALOMON,
Governor.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 30, 1863.

Hon. EDWARD SALOMON,
Governor of Wisconsin:

SIR: Your letter of the 25th instant has been received. When the quotas of the several districts of Wisconsin are calculated the excess or deficiency of troops furnished by each district under the calls of

1861 and 1862 will be considered and due credit given, but in regard to assigning quotas to particular towns or localities, there are no sufficient data upon which to make the necessary calculations.

The statement furnished to Colonel Lovell by the adjutant-general of Wisconsin, and by him sent to this office, gives only a portion of the number claimed to have been furnished to particular towns. For instance, in the statement referred to the First Congressional District is said to have furnished 164 enlisted men since enrollment of 1862, of which only 77 are assigned to towns, the remaining 87 being reported as persons whose exact residence cannot be ascertained. It is therefore impossible to calculate the quotas to be furnished under the present enrollment in any other way than by taking the number enrolled in the whole Congressional district as a basis and allowing credit for any surplus which may have been furnished by that district under former calls. This will be done, and if it shall be found after quotas have been thus assigned that any particular town has actually furnished a surplus of men over its previous quotas, a number of those drafted equal to this surplus will be discharged.

The only means of ascertaining whether a town has actually furnished an excess will be to have a list of the names of all the men furnished by the town claiming the excess prepared and compared with the names of all the men from that town actually mustered into the U. S. service and borne upon the muster-in rolls on file in the office of the Adjutant-General of the Army.

This will show how many men from a town have been actually furnished, while the tables giving the number claimed to have been furnished differ so much from the number known to have been mustered into the U. S. service that no just conclusion can be arrived at from them.

I am, sir, very respectfully, your obedient servant,

J. B. FRY,
Provost-Marshal-General.

[JULY 31, 1863.—For General Orders, No. 252, War Department, Adjutant-General's Office, promulgating the President's order of July 30, 1863, in relation to retaliation, see Series II, Vol. VI, p. 163.]

BOSTON, *July 31, 1863.*

Hon. E. M. STANTON,
Secretary of War:

Brigadier-General Devens is urging me to furnish him guard for his conscript camp at Long Island. I have several new companies heavy artillery organizing for our forts, and more or less complete. One of them has 127 men. These could be used for such guard if there was authority to muster them into service; but under your instructions to mustering officer none of them can be mustered short of maximum number recruits. Please authorize Captain Dryer to muster heavy artillery companies at minimum of 110 men, with captain and two lieutenants; the other two lieutenants to be added when companies are at maximum.

JNO. A. ANDREW,
Governor of Massachusetts.

CONCORD, N. H., *July 31, 1863.*

Hon. E. M. STANTON:

Dispatch informing me that 800 Prussian smooth-bore muskets have been ordered to be sent me is received. It is not what I want. Give me the Springfield rifled musket and I will organize a reliable militia force in New Hampshire. An inferior arm will not answer the purpose, for our citizens will not enroll themselves unless they can be supplied with the best arms.

J. A. GILMORE,
Governor.

CONFIDENTIAL.] PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 31, 1863.

Maj. A. S. DIVEN,
Acty. Asst. Provost-Marshal-General, Elmira, N. Y.:

Please give me by letter such important points and inferences connected by your recent interview with Governor Seymour as you may feel at liberty to make known.

J. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 31, 1863.

Maj. A. S. DIVEN,
Acting Assistant Provost-Marshal-General,
Western Division of New York, Elmira, N. Y.:

MAJOR: I am directed by the Provost-Marshal-General to acknowledge the receipt of your communication of 28th instant, and to say that you will learn from telegrams and other communications that he has given you full discretion in all matters necessary for the discharge of your duties, and that he relies upon your judgment and ability to complete the work successfully.

I am, major, very respectfully, your obedient servant,

HENRY STONE,
Assistant Adjutant-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 31, 1863.

Maj. A. S. DIVEN,
Acty. Asst. Provost-Marshal-General, Elmira, N. Y.:

Don't commence the draft in Buffalo until a sufficient force is sent you to carry it through.

J. B. FRY,
Provost-Marshal-General.

STATE OF NEW YORK,
JUDGE-ADVOCATE-GENERAL'S DEPARTMENT,
New York, July 31, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

DEAR SIR: I have been to Albany and detailed to the Governor my interview with you and with the President. He was very much grati-

fied by the report I made. I speak now of the verbal report. I shall immediately prepare a written report and take [it] to Albany, and I will then send a copy to you and one to the President, as I promised to do. It will show clearly the inequalities of the enrollment, and also make suggestions for securing fairness in the draft. I find, on inquiry, that the enrolling officers avowed that they enrolled persons at their places of business and also at their residences. It is very important that you should take no further steps in regard to the draft in this city and neighborhood until you get that paper, which will not probably be later than Thursday next. If this matter can be got along with without trouble or discontent, it is certainly far better to the Government that it should be so. Of one thing be assured, it is of the first importance that the draft should be so conducted as to preclude any probability of unfairness, and the President assured me that we could rely upon having such a course.

We are now getting volunteers in this city at the rate of a hundred a day.

If there is a general disposition to aid and accommodate between the officers of the State and General Governments we will come out all right. I would send my report sooner, but it will be a work of considerable labor to prepare it.

I remain, very respectfully and truly, yours, &c.,

NELSON J. WATERBURY.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
SOUTHERN DIVISION OF NEW YORK,
New York, July 31, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I have the honor to submit the following report of business and general transactions for the month ending July 31, 1863:

REPORT.

Enrollment.—The month just closing has been one of eventful interest. The enrollment was completed on or about the 5th instant, and the work of consolidating names of persons of class one finished on the 10th instant; nothing remained to be done for the perfect completion of the work of enrollment but the comparison of names gathered by the provost-marshals, in their respective districts, of persons residing in another or adjoining districts. The peculiar system which prevails in the city of New York, where nearly all the business community resides in other districts than those in which their business is located, many residing in the cities of Brooklyn, Jersey City, and Hoboken, as well as the many suburban villages, rendered this work one of great labor, and of necessity required much time in order to insure the necessary degree of correctness. The means first adopted to aid in accomplishing this object, by means of advertisements and posters calling upon citizens who had been enrolled in districts other than those in which they resided to obtain certificates by which their names could be erased from the lists in the districts in which they transacted their business, failed in any great measure to accomplish the result desired.

It then became evident that this object could only be accomplished by means of a system of exchange—the provost-marshals rendering to

each other lists of persons enrolled in their respective districts and claiming residence in another, when by comparison it could be determined whether the persons named had been properly enrolled in the districts where they resided, or from some cause had been omitted. While credit must be given for the very general excellence in the selection of enrolling officers by the provost-marshals, yet the different degrees of capability existing among them rendered it all but impossible that more or less errors should occur, and a careful system of revision was rendered absolutely necessary. The work of exchange had scarcely been gone into to any extent before the notification to commence the draft in the different districts was received, followed so closely by the most terrible exhibition of mob violence, causing an almost total suspension of this labor for a period of about ten days. I am glad to report that the work is now fully resumed and will be pushed as rapidly as possible to completion.

Resistance to the draft.—In accordance with instructions received and the plan adopted by me, I directed the provost-marshals of the Eighth and Ninth Districts to proceed with the draft in their districts as soon as the preliminary arrangements could be perfected, they having assured me that everything was in readiness, and leaving it discretionary with themselves as to the time when they should commence. Captain Jenkins, of the Ninth District, was the first to enter upon the duty, and on the 11th instant about 1,200 names were drawn for the Twenty-second Ward or Third Sub-District, when the further drawing was postponed until Monday morning. Contrary to expectation, which the quiet and good order prevailing on Saturday had betokened, Monday morning brought with it unmistakable indications that resistance, of how serious a character could not then be determined, would be offered to the further procedure of the draft. Of the character, extent, and result of this interference I have informed you in a detailed report on the subject. The effect of the riotous demonstrations upon the offices of the provost-marshals has been as follows:

First District: Complete suspension of business for eight or ten days and the destruction of a portion of the clothing which had been issued to him.

Second District: Little or no suspension of work.

Third District: No suspension or interruption.

Fourth District: No suspension or interruption.

Fifth District: Building and furniture destroyed; work suspended for want of quarters.

Sixth District: Work suspended for about ten days.

Seventh District: Furniture partially destroyed; also blanks; work suspended for about ten days.

Eighth District: Building, furniture, and blanks destroyed, together with all the clothing; work suspended for want of quarters.

Ninth District: Building, furniture, and blanks all destroyed; work in great measure suspended for want of quarters.

In each case the enrollment and consolidated lists were preserved without injury, a matter of great importance, as it is questionable if so perfect an enrollment could be again made; certainly not without great loss of time.

Persons arrested.—The arrest of two deserters, who on being taken into custody produced spurious certificates of discharge, led to the arrest of Doctor De Marmon, who proved to be the party who furnished these bogus discharges to men; sometimes received as large a sum as $100 for the same. This arrest I regard as one of great

importance, as there is no doubt that quite a business in this line has been carried on for some time past, and the secret manner in which it has been conducted has hitherto defied all efforts to detect the guilty parties. The doctor was sent to Fort Lafayette by direction of Major-General Dix, as also the two deserters to be held as witnesses against him. On the 30th instant Capt. H. Jahn, of the Second New York Independent Battery, was arrested upon papers forwarded to this office by Maj. L. C. Turner, Judge-Advocate-General, upon the charge of taking men to New York before the expiration of their term of service. He was forwarded to Washington on the 31st instant and delivered to Major Gaines by direction of Major Turner.

Deserters arrested.—The number of deserters arrested during the month has been 134 by officers attached to my office.

For about one week during the excitement attending the riot in this city this work was necessarily suspended. The increased reward now paid for the detection of deserters has had a very excellent effect, stimulating the officers to increased exertions. The sum is now felt to be a sufficient compensation for the risk and trouble, and the result must be increased effectiveness in the branch. The speedy apprehension of this class of offenders cannot fail to exercise a wholesome influence and deter many who might otherwise be disposed to make the attempt. Hitherto the sum paid was considered inadequate, and the comparative ease with which a man could effect his escape from camp has operated to the serious disadvantage of the service. The increase in the reward is a step in the right direction, and one which should have been adopted some time since. But one thing more is needed, and that is a more prompt system of paying the reward after the arrest is effected. The delay in securing their pay has had the effect to deter many from engaging in the business who could have rendered very efficient service.

On the 11th instant orders were received from Major-General Wool directing that in consequence of the small number of men that could be spared to guard the prisoners at Fort Columbus, in future all deserters who belonged to the Army of the Potomac or to the regiments in Washington and vicinity should be sent direct under guard to Washington City; while those who belonged to regiments stationed at New Orleans, New Berne, Hilton Head, Port Royal, &c., would be received in the fort as heretofore and detained until the sailing of transports for those places. This order rendered it necessary for the provost-marshals and others sending deserters to this point to deliver them at the Park Barracks in charge of the provost guard, and from thence daily parties, varying from ten to twenty men each, are dispatched to Washington in charge of an officer and a guard of one or two men, according to the size of the party. While this regulation imposes much additional labor on this office, I think it will be found to be productive of the following results:

First, economy in transportation; second, the more speedy return of the men to their regiments; and, third, the short time which must elapse between their arrest and departure from the city will free us from the great annoyance of writs of habeas corpus. Either from inexperience or incapacity, the officers employed in some districts appear to be quite inefficient. The provost-marshals have been advised in accordance with instructions from your Bureau that there was a deficiency in this respect; they were also informed that if there was any insufficiency of force that they might appoint such number of officers as could be profitably employed. With these means at

command this branch of business ought to be rendered very effective, and I am of opinion that no person receiving a salary should be retained who does not prove his efficiency by frequent arrests, and the provost-marshals shall be required to report the number of arrests made by each officer during the month. The recent instructions received, by which all detectives, special agents, and enrolling officers are entitled to receive the reward, will obviate a difficulty which arose under the previous arrangements whereby those men escaped being charged with the amount of reward and expenses who chanced to be arrested by officers not allowed to receive the reward.

Invalid Corps.—The organization of this corps is progressing more favorably. The number of men enlisted during the month has been 84, making the total number of men enlisted to date 209.

I am, colonel, very respectfully, your obedient servant,

ROBERT NUGENT,

Col. 69th Regt. N. Y. Vols. and Actg. Asst. Prov. Mar. Gen.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., July 31, 1863.

His Excellency EDWARD SALOMON,
Governor of Wisconsin, Madison, Wis.:

SIR: I am instructed by the Secretary of War to inform you that you are hereby authorized to raise one regiment of infantry to be composed of colored men, to be mustered into the U. S. service for three years or during the war.

If you should find it impracticable to raise a full regiment, any number of companies less than that required for a regimental organization will be accepted. To these troops no bounties will be paid. They will receive $10 per month and one ration per day, $3 of which monthly pay may be in clothing. The organization of the regiment must conform in all respects with the requirements of General Orders, No. 110, War Department, 1863, a copy of which is herewith.*

The prescribed number of commissioned officers will be appointed in accordance with the provisions of General Orders, Nos. 143 and 144, War Department, current series, copies of which please find inclosed.† The officers thus appointed will be mustered into service on the presentation to the mustering officer of their appointments signed by the Secretary of War.

The appointments will be made to keep pace with the muster into service of the several companies. Thus, on information being received from you that the first company has been mustered into service, the necessary appointments for that company will be made. When four companies are mustered in the lieutenant-colonel of the regiment will be appointed, and so on in accordance with the Revised Mustering Regulations.

To facilitate the appointment of the officers, it is respectfully suggested that it would be well to forward to the Adjutant-General of the Army, as early as practicable, the names of such persons as you wish to have examined for appointment, and permission will be immediately given them to appear before the examining board now in session in Cincinnati, or the board in session in Washington if more convenient for the parties.

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*See p. 175.

†See pp. 215, 216.

The necessary supplies will be furnished by the respective departments upon requisitions approved by you.

I have the honor, &c.,

C. W. FOSTER,
Assistant Adjutant-General.

(Copy to Lieut. Col. L. Sitgreaves, mustering and disbursing officer, Madison, Wis.)

[ABOUT AUGUST, 1863.]

Sketch of the campaign and review of the military situation, at the request of the Secretary of State, Hon. William H. Seward, by M. C. Meigs, Quartermaster-General, U. S. Army.

As the heats of advancing summer, following the accomplishment of great results, appear likely to bring a period of comparative inaction, it appears a fitting time for a general review of the military situation.

Twice during the year which has passed has the attempt been made by the rebels to transfer the seat of active military operations to the soil of free and loyal States.

After the battles of August, 1862, which resulted, not without some loss to the loyal forces, in the reunion of the corps of the Army of the Potomac in front of Washington, the rebel army for the first time crossed the Potomac, hoping for a rising of the people of Maryland.

The Army of the Potomac advanced to the encounter strengthened by fresh, though comparatively raw, troops, and by some detachments called in for the emergency. They met the rebel army at South Mountain and at Crampton's Gap, and finally concentrating in rear of Sharpsburg, the two armies fought a pitched battle on the banks of the Antietam and Potomac. The contest was very bloody and well sustained on both sides, for men of the same race directed the armies, whose rank and file were of the same blood and were nearly matched in numbers.

The result was decisive of the fate of the invasion. The rebel army, shattered, though not destroyed, abandoned its projects of offense and retired to the soil of Virginia. It gained few recruits and found little sympathy in Maryland, while its losses were large.

While these events transpired on the Potomac, the Western armies of the insurgents attempted to recover possession of Tennessee and to establish themselves in Kentucky. By a bold and skillful movement, turning the left flank of General Buell, they advanced from Chattanooga and Southeastern Tennessee upon Cincinnati and Louisville, calling upon their friends in the Border States to join them. They got few recruits. The outpouring of the farmers of Ohio checked the demonstration upon Cincinnati, and their two columns concentrating at Perryville were attacked by General Buell, who, following Bragg, had outmarched their main army and succeeded in reaching Louisville in time to turn him eastward.

After the battle of Perryville, General Bragg retired through a barren country with much suffering and loss, crossed the Cumberland Mountains into East Tennessee, and thence, moving westward, took up a position at Murfreesborough, where he fortified himself and proceeded to reorganize and recruit his army.

The investment of Nashville was raised by General Rosecrans, who had succeeded General Buell in command of the Army of the Cumberland, after defeating and routing at Corinth the rebel force which, under Van Dorn and Price, had attempted the invasion of West Tennessee and Kentucky.

In the last days of the year 1862 the Army of the Cumberland moved from Nashville upon the position of Murfreesborough, and here an obstinately contested battle was fought, which resulted, after great loss on both sides, in the retreat of the insurgents and the occupation of Murfreesborough by the forces of the Union. A long period of rest, devoted on both sides to efforts to increase the strength and efficiency of the armies, ensued. Frequent skirmishes, cavalry expeditions to destroy communications, in which both armies showed enterprise, courage, and a gradual improvement in efficiency and soldierly skill, filled up the time on the borders of Tennessee, Kentucky, Mississippi, and Alabama.

The reduction of Vicksburg presented unexpected difficulties. General Grant, the commander of the Department and of the Army of the Tennessee, finally took command of the troops investing that stronghold.

The naval squadron in the Mississippi was steadily increased in strength until over 100 armed vessels were employed upon the river, many of them iron-clad gun-boats of great power.

Attempts were made to repeat the operation successful at Island No. 10, but the canal projected and executed failed to change the channel of the river, and expeditions were set on foot to turn the enemy's position by some of the bayous and rivers which form so singular a feature of the military topography of the Mississippi and its banks.

All these failing, General Grant and Admiral Porter sent steamers to run the gauntlet of the batteries at Vicksburg, Warrenton, and Grand Gulf, and, marching the army down the right bank, ferried it across the great river by means of the transport steamers which had safely made the dangerous passage.

The batteries of Grand Gulf, after resisting a heavy bombardment from the fleet at short range, were abandoned as soon as General Grant's army marched to their rear. By a series of brilliant maneuvers, marching and fighting day by day, General Grant succeeded in separating the rebel armies, beating Johnston and driving him out of the city of Jackson, the capital of Mississippi.

Numerous combats, in all of which the loyal armies were successful, resulted in the division of the army of General Pemberton, a portion under General Loring being cut off and driven to the southeast, while Pemberton himself, with over 30,000 soldiers, was shut up within the lines of Vicksburg. The batteries near the mouth of the Yazoo, abandoned by the enemy, fell into the hands of Admiral Porter and were destroyed, and a detachment of his fleet ascended that river and destroyed vessels and stores of the enemy.

General Grant, who had during these brilliant operations abandoned his communication, closely invested the city, re-established his connection with the fleet of gun-boats and transports, both above and below the city, and ignorant of the numbers inclosed within its works, tried an assault. It was unsuccessful, and he sat down to reduce it by the less bloody, but surer, method of siege.

A gallant defense was made by Pemberton, hoping for relief from Johnston. Strenuous efforts were made by the insurgent chiefs to

re-enforce the army under General Johnston. Troops were sent to him from Bragg's army of Northern Alabama, and from that of Beauregard in South Carolina, as appears by the remarkable letters of Mr. Davis and General Cooper to General Lee, intercepted during the late invasion of Maryland. These armies endangered their own safety in the attempt to strengthen Johnston. All the able-bodied men of Mississippi were called upon to come forward for the emergency, but in vain. No attack upon the skillfully drawn lines of General Grant was ventured, and on the 4th of July General Pemberton laid down his arms, and 30,000 men, 19 generals, and nearly 200 pieces of artillery, with 20,000 small-arms, were surrendered to General Grant—a capture as important as that of Ulm.

Four days afterward the garrison of Port Hudson, the last rebel stronghold on the Mississippi, yielded to General Banks. This great river was once more open to the commerce of the Northwest, and steamers at once descended to New Orleans.

The insurgents lost in these operations on the Mississippi not less than 50,000 men and 300 pieces of artillery.

Johnston's army, which had advanced to threaten the rear of Grant, retreated to Jackson, from which city they were driven by a detachment of the Union army under General Sherman. The city of Jackson again fell into the hands of our army, with large collections of railroad rolling-stock detained there by the cutting of all railroad lines north, south, east, and west by the Union troops. Many buildings in the city were fired by the rebels to destroy the provisions and munitions of war which they were unable to remove.

Sherman did not pursue the retreating enemy beyond Jackson, but returned to Vicksburg, and a portion of the army is enjoying needed rest after a siege of several months' duration, while other portions are engaged in cleaning out the roving bands of rebels who still infest the banks of the river and fire upon passing steamers.

Johnston, with the troops under his command, has, it is reported, retired 100 miles to the eastward of Jackson, near the eastern boundary of the State of Mississippi, which is thus abandoned by the rebel armies.

In Louisiana General Banks, who had succeeded General Butler in command, after some time spent in organizing his department and disciplining his new levies, by a rapid and successful march drove the rebel troops out of the Teche and Attakapas country, the richest portion of the State, captured Alexandria, and, striking the Mississippi above Port Hudson, invested that last fortress of rebellion on its banks.

In the assault by which he attempted to reduce the garrison the newly raised negro regiments showed great valor and devotion, and forever in this country dispelled all doubts as to the capacity of this oppressed race for the defense of their newly acquired liberty.

The siege of Port Hudson required nearly the whole of General Banks' available forces, and the rebel troops called up from Texas reoccupied much of the territory which he had recovered in the western portion of the State of Louisiana.

The capture of Port Hudson, however, which, as before stated, fell only four days after Vicksburg surrendered to General Grant, set at liberty his forces, which have already made much progress in recovering what was for a time abandoned.

The result of these operations—reopening the navigation of the Mississippi and dividing the rebel territory, cutting off communication,

except by stealth—must have a most important bearing upon the war. One-half of the State of Mississippi falls at once into the hands of the Government. The beef-cattle from the west of the Mississippi can no longer reach the armies of the East, and arms and ammunition can no longer be sent from the Eastern arsenals to the troops west of the Mississippi.

The extent of the trade in such supplies is shown by the capture at Natchez by General Grant of 5,000 head of beef-cattle, which had there crossed the Mississippi on their way to the Eastern armies.

At Charleston a rigorous blockade has been maintained, and though fast steamers of light draft and painted gray succeed in slipping through the blockading squadron in the uncertain light of morning and evening, many were captured or destroyed in the attempt. An attack by the fleet upon the forts and batteries of Charleston Harbor failed because the obstructions of ropes placed in the channels fouled the propellers of the monitors. These vessels bore the fire of the forts while exploring the harbor, with some injury, it is true, which pointed out deficiences to be supplied, but with a singular immunity to their crews. Only one man was killed on the fleet in a cannonade of almost unexampled severity.

The defects of the vessels have been repaired, and an attack is now in progress, with good prospect of ultimate success, having for its object the reduction of the forts.

At the mouth of the harbor, by a combined attack by sea and land, more than one-half of Morris Island is now in possession of our land forces, which, aided by the fire of the batteries afloat and ashore, are pushing siege-works up to Fort Wagner, a strong earth-work which has been twice gallantly assaulted without success. Its fall by gradual approaches is certain, if it is not carried by assault.

In North Carolina our lines have neither extended nor contracted. All attempts of the rebels to recapture their towns have been successfully repulsed. Much damage has been inflicted upon their communications, and many valuable military stores have been destroyed by expeditions organized for that purpose.

The situation on the York and James Rivers remains unchanged since the withdrawal of the army of General McClellan from the Peninsula a year ago. Attempts to retake Williamsburg and Suffolk have been repulsed, but lately, finding Suffolk a position of little value and requiring a considerable force for its defense, our troops have been withdrawn from that village for use elsewhere. It has not been occupied by the enemy, but it is now visited occasionally by scouting parties from both armies.

Returning to the Army of the Potomac, which we left resting and refitting itself after putting an end to the first invasion of Maryland, we find that in November it had crossed the Potomac and, advancing into Virginia, had forced the rebel army under General Lee to fall back to Gordonsville, south of the Rappahannock. Our army under command of General Burnside, who in the middle of November took command, marched to Falmouth, hoping to cross the Rappahannock at Fredericksburg and move at once upon Richmond, thus compelling a battle in front of that city. Delays in the movement, however, allowed General Lee to occupy the heights of Fredericksburg, and when at length, in December, General Burnside crossed the Rappahannock, his assault upon this well-fortified position failed with heavy loss. He skillfully recrossed the river in the night without his movements being interfered with by the enemy.

General Hooker succeeded to the command, and it was not until the beginning of May that offensive operations were resumed by the Army of the Potomac. Then it crossed the Rappahannock, turning the flank of the rebel army, but in the sanguinary battle of Chancellorsville the fortune of war was against it. The heights of Fredericksburg were captured by General Sedgwick's corps, but the whole army retired to the north bank of the Rappahannock and returned to its winter camps.

By a rapid and skillful march General Lee, in the latter part of May and in the month of June, withdrew his army from General Hooker's front, and, ascending the south bank of the Rapidan and Rappahannock, entered the Valley of the Shenandoah and once more tempted the fortune of war by invading the loyal States. A severe cavalry engagement at Beverly Ford unmasked his movement, and the Army of the Potomac broke up its camps and marched to meet him.

The two armies met at Gettysburg, in Pennsylvania, and after a battle of three days' duration, with terrible slaughter on both sides, the rebel army recoiled from the position held by General Meade, who had succeeded General Hooker in command, and retreated to the Potomac. It was followed by Meade, who, deceived as to the state of the river, which he supposed unfordable, too long delayed his attack. General Lee, partly by a hastily constructed bridge and partly by fording the stream, which had fallen rapidly, succeeded in withdrawing his army and most of his artillery to the south bank.

Much of his baggage was captured or destroyed in his retreat by our cavalry, and much of the plunder which he had collected was thrown out of his wagons to make room for the wounded whom he carried off the field. Our troops buried 4,500 of the enemy left upon the field. The victims of the first day's fight had been buried by their comrades.

This invasion probably cost the rebel army in killed, wounded, prisoners, deserters, and stragglers 40,000 men. Our loss was severe.

Thus ended the second invasion. General Meade had crossed the Potomac, advanced into Virginia, and the campaign of last fall is repeating itself, the two armies occupying now very nearly the positions of November.

Upon the defeat and retreat of the army of General Lee and the surrender of Vicksburg and Port Hudson, General Rosecrans advanced upon the rebel army under General Bragg and drove them with little fighting from their fortified position at Shelbyville and Tullahoma, in Southern Tennessee. He now occupies these positions, while the army under General Bragg has, after great suffering and loss, fallen back to Chattanooga and the line of the Tennessee River. The feeble resistance made to Rosecrans' advance shows that Bragg's army must have been much reduced in the unsuccessful effort to enable Johnston in Mississippi to raise the siege of Vicksburg.

This review shows that no great progress southward has been made during the year on our eastern lines. The opposing armies on the Potomac have been too equally matched to gain very great advantages over each other, and the necessity of covering Washington, the capital, against all contingencies has constantly restrained our commanders and forbidden those bold and dangerous movements which, venturing much, alone conduce to great military successes.

In the West some 50,000 square miles of revolted territory have been recovered by the campaign, and the accompanying map, prepared at

the office of the U. S. Coast Survey, gives the relative boundaries of the territory held by the loyal people at the outbreak of the rebellion and at the present time.

It is estimated that over 200,000 square miles have been recovered from the possession of the rebels, a territory as large as Austria or France or the Peninsula of Spain and Portugal. In the month of July alone the battle of Gettysburg, in Pennsylvania, the surrenders of Vicksburg and Port Hudson, in Mississippi, and the retreat of Bragg's army from his fortified positions of Shelbyville and Tullahoma, cost the enemy in killed, wounded, prisoners, and deserters, probably one-third of their entire force.

It is not probable that they have now under arms more than 250,000 men, if so many. A levy of all the able-bodied men not in the rebel service has been ordered by proclamation of Mr. Davis. This, if carried into effect, will force into their ranks every man within their lines capable of bearing arms. It will exhaust the whole material of which to make soldiers. The Southern press, in their comments upon the proclamation, estimate the total number of conscripts to be gained at from 70,000 to 95,000. None put forth a higher estimate.

Our armies having captured vast numbers of prisoners, forced the rebel armies at every point of contact either to surrender or retreat, now confront them everywhere in superior numbers.

The places of the nine-months' and two-years' men are being filled by the first draft under the U. S. law for enrolling the national forces. To this draft, ordered by their own votes, the people are submitting with less protest and disorder than might have been expected from a people to whom it is so new. In New York alone has any serious outbreak occurred, and this, the mob showing by its acts that it was led by thieves and plunderers, was speedily put down. In other places the drafted men form themselves into processions and display the national flag and cheer for the country and the Union.

Our armies are everywhere well equipped, abundantly fed, and supplied with all the means of transportation. The soldiers of two-years' service bear themselves as veterans and show greater steadiness in every conflict. The men accustomed to the camp, hardened by exercise and exposure, make marches which in the beginning of the war would have been impossible. The whole Nation is becoming familiar with arms.

All needed military supplies are now abundantly and cheaply produced within our own limits. Within four days after requisitions to replace the horses killed or worn out in the campaign in Maryland were received at Washington 6,200 remount horses, ordered by telegraph from all the markets of the country, were speeding by railroad to the Army of the Potomac. Not less than 9,000 fresh horses have been issued to that army in the month of July.

Our bonds are purchased by our own people at par at the rate of $1,200,000 to $2,000,000 per day, while exchange on London sells in New York at $1.42. Gold sells at 129.

A dollar in gold is reported as bringing in Richmond $11 in the rebel notes. Thus, while the loyal people are still able to supply men and all the material of war and show, by the price of gold and their purchases of the bonds of the United States, their confidence in the success of their cause, the rebels are short of men, of material, and will part with $11 of their currency for a dollar in gold.

The rebels are a gallant people and will make a stern resistance, but it is exhaustion of men and of money that finally terminates all modern wars, and in their case that exhaustion rapidly approaches.

As their territory decreases they lose their manufactories of arms, and they will find it impossible to replace the heavy artillery and arms, of which they have recently lost such large quantities.

The situation may be summed up in a few words:

The National Government enjoys the highest credit, with abundant resources in money, in men, and in material. Its armies everywhere outnumber the rebel forces, who are all in retreat. Every rebel port is blockaded, besieged, or possessed by the national arms. The Confederacy is divided by the Mississippi, all whose fortresses are in our hands, and whose waters are patrolled by a hundred war steamers. Missouri, Kentucky, Maryland, Delaware, all slave States, are entirely in our possession.

Four-fifths of Tennessee, one-half of Virginia, the coasts and sounds of North Carolina, one-half of Mississippi and Louisiana, one-fourth of Arkansas, part of Alabama, and the whole sea-coast of Georgia and South Carolina, with part of that of Florida, are held by our troops.

The only slave State in which we have not a firm foothold is Texas, and that has been left to itself because, while it has been practicable at any moment to secure it, it has not been thought necessary to incur the expense of another detachment to occupy its shallow harbors.

The rebellion, with its slaves, is now crowded into the central and southern portion of Virginia, into North Carolina, South Carolina, Georgia, and Alabama, separated from Texas, whose able-bodied rebels are nearly all collected in these Gulf States, and which must fall with the rebel armies.

Already it is reported that the Governors of Alabama and Georgia have issued proclamations forbidding the alarming immigration of blacks, driven into these territories to escape the advancing Union armies. North Carolina, discontented, having given 90,000 soldiers to the rebel armies, of whom they report 40,000 dead or wounded, begins to quarrel with Mr. Davis and threatens to exercise the right of secession carefully incorporated into the anarchical constitution of the rebel league.

M. C. MEIGS,
Quartermaster-General U. S. Army.

GENERAL ORDERS, No. 258. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, August 1, 1863.*

All applications of quartermasters, commissaries, and paymasters for changes of stations, or to be exempted from the operation of orders of assignment to stations on the score of ill-health, will be hereafter taken as confessions of inability to perform official duty on account of physical incapacity, an equivalent to tenders of resignations. The officers concerned will, in ordinary course, be mustered out of service hereupon, as in cases of accepted resignations.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 259. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, August 1, 1863.*

Veterinary surgeons of cavalry, under the act of March 3, 1863, will be selected by the chief of the Cavalry Bureau upon the nomination

of the regimental commanders. These nominations will be founded upon the recommendation of the candidate by a regimental board of officers, to consist of the three officers present next in rank to the commander of the regiment. The names of candidates so recommended and nominated to the chief of the Bureau of Cavalry will be submitted by him to the Secretary of War for appointment. A record of the appointments so made shall be kept in the Adjutant-General's Office.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR } WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
No. 61. } *Washington, D. C., August 1, 1863.*

The following opinions of Col. Joseph Holt, Judge-Advocate-General of the Army, are published for the information and guidance of all officers of this Bureau:

The only son of aged and infirm parent or parents—exemption.

Opinion.—The only son of aged or infirm parent or parents is not exempt unless his parent or parents are dependent on his labor for their support. If he is in a condition to support, and does support them without his personal labor for that purpose, he is subject to draft, because he is in a condition to perform military service without depriving his parents of the support the law designs to secure to them. The parents need not be wholly dependent on the labor of their son for support. If they are so dependent for the principal part of their support the right to exemption arises.

In the case of a widow having four sons.

Opinion.—In the case of a widow having four sons, three of whom are already in the military service, the fourth is exempt, provided his mother is dependent on his labor for support.

In the case of a widow having two sons, one of whom is already in the military service.

Opinion.—In the case of a widow having two sons, one of whom is already in the military service, and the other has been drafted, the latter is exempt as "the only son liable to military duty," in the sense of the act.

In the case of aged or infirm parents having two or more sons subject to military duty.

Opinion.—In the case of aged or infirm parents having two or more sons subject to military duty, election of the son to be exempted must be made before the draft, and his name should not then appear in the draft box. If one of only two sons of such parents is already in the military service, the other is exempt, provided his parents are dependent on his labor for their support.

Of persons having conscientious scruples in regard to bearing arms.

Opinion.—Persons having conscientious scruples in regard to bearing arms are not on that account exempt. They are not found in the list of exempted classes, and the act expressly declares that no persons but those enumerated in that list shall be exempt. The Society of Friends, and others entertaining similar sentiments, if drafted, may find relief from their scruples in the employment of substitutes, or in the payment of the $300.

Of a man whose wife is insane.

Opinion.—The children of an insane mother, who may at any time recover her reason, cannot in the sense of the law, or with any propriety of language, be termed "motherless children." The father of such, though they may be dependent on his labor for their support, cannot therefore claim exemption from the draft. The case is a hard one, and would, probably, have been provided for had it been foreseen. It is, however, the law as it is, and not as it may be supposed it ought to be, that is to be enforced.

A father having four sons, two of whom have died in the military service; also of

Aged or infirm parents electing which of two sons may be exempt.

Opinion.—In the case of a father having four sons, two of whom have died in the military service, it seems clear that the remaining two are not exempt from draft. Before such exemption can be allowed, it must be shown that the father has, not has had, two sons in the military service. So the law is written. Congress might well have accepted the loss of two sons in the field as equivalent to their continuance in the service, and therefore securing the same privileges to their family, but this has not been done. To hold otherwise would be not interpretation, but legislation.

In the case of aged or infirm parents having two sons subject to military duty, the father, or if he be dead, the mother may elect which of them shall be exempt. The right to this exemption does not rest upon the parent's dependence on the labor of their sons for their support. The law does not contemplate any such dependence.

JAMES B. FRY,
Provost-Marshal-General.

ALBANY, *August 1, 1863.*

The PRESIDENT OF THE UNITED STATES:

I ask that the draft be suspended in this State until I can send you a communication I am preparing.

HORATIO SEYMOUR.

WAR DEPARTMENT,
Washington, D. C., August 1, 1863.

His Excellency Governor SEYMOUR,
Albany, N. Y.:

By what day may I expect your communication to reach me? Are you anxious about any part, except the city and vicinity?

A. LINCOLN.

ALBANY, *August 1, 1863.*

The SECRETARY OF WAR:

I ask to have the draft suspended in New York until I can send to Washington a communication I am preparing.

HORATIO SEYMOUR.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
SOUTHERN DIVISION OF NEW YORK,
New York, August 1, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I have the honor to report that upon the receipt of your communication I at once requested the attendance of Captain Rose at my office. He stated that the Board of Enrollment, First District, did not deem it safe or prudent to re-establish headquarters at Jamaica until they could be protected by an adequate guard. I have ordered one company of the Invalid Corps, under command of Captain Preston, to proceed to Jamaica and establish a camp there for the protection of U. S. property and quarters of the provost-marshal, and enable

Captain Rose to resume business on Tuesday, 4th instant, at that place.

I am, colonel, very respectfully, your obedient servant,
ROBERT NUGENT,
Col. 69th Regt. N. Y. Vols. and Actg. Asst. Prov. Mar. Gen.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
NORTHERN DIVISION, STATE OF NEW YORK,
Albany, August 1, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to inform the Provost-Marshal-General's Office that I shall announce the draft in Oswego for the Twenty-second District on Tuesday next, 4th instant.

I have informed General Dix of the condition of affairs in that district, and again to-day have given him an account of the progress of the draft where it has taken place and generally of the condition and requirements of the provost-marshal service in this division, in response to a note from him requesting such information.

I have not nor have I had the slightest confidence in the State authorities in regard to the question of draft. I say this unofficially as a citizen, because I have no other evidence to base my feeling of distrust than what is patent to everybody in this State, and I suppose equally so at Washington, and also because I know Governor Seymour personally, and have for several years considered him to be a dangerous man with a mind congenitally predisposed to lunacy, and always directed by the absorbing impulse of inordinate ambition. He and Fernando Wood are identical in sentiment, both sufficiently daring to attempt anything, but when the moment for action arrives, too cowardly to direct and execute.

That it is contemplated by the State officials now, since the recent victories, to do anything more than tacitly assent to a resistance of the draft which they have engendered in certain prominent localities, or anything more than in every manner covertly to embarrass the General Government, I do not believe; but I am more sure that they will do nothing to sustain the General Government in any way. Governor Seymour has made strenuous efforts to effect a speedy organization and armament of the National Guard, and has appointed men conspicuous for their disloyalty as brigadier-generals and colonels in the force.

The provost-marshals, therefore, with very good reason consider this force a power against them, and earnestly request arms and ammunition to place in the hands of men known by them to be loyal and ready to stand by the General Government.

To a limited extent I have supplied arms and ammunition to the provost-marshals upon their requisitions for special guards, but of course these guards can be of no great service against the organized and armed "friends" of Governor Seymour, when they rise in great numbers.

It seems to me, for this division, to be the best course to send me 1,500 men and a battery of six pieces. I will execute the draft then in Albany and Troy at one and the same time. With 500 men and a section in Troy, and 1,000 men and two sections in Albany, I will put it through in these cities, if to do so I am obliged to level half their buildings, respectively.

After this is done I will release 1,000 men and two sections, and with the balance put the draft through, consecutively, in the disaffected districts.

I am inclined to believe that the draft may be executed harmlessly in the Nineteenth District; shall be assured in a few days.

I send you two letters received to-day, one from the provost-marshal of the Twentieth District in response to the simple question whether it would be safe now to commence the draft in that district, and the other from a captain in the National Guard, as samples of the general feeling pervading many of my districts. The latter I transmitted for the attention of the adjutant-general of the State.

I am, sir, very respectfully, &c.,

FREDK. TOWNSEND,
Major, U. S. Army, Actg. Asst. Provost-Marshal-General.

[Inclosure No. 1.]

PROV. MAR.'S OFFICE, TWENTIETH DISTRICT OF NEW YORK,
Watertown, July 31, 1863.

Maj. FREDK. TOWNSEND,
Eighteenth U. S. Infantry, A. A. P. M. G., Albany, N. Y.:

MAJOR: I have the honor, in answer to letter of C. W. Hendee of your office, to state that I yesterday reported Sub-District No. 7, with the further fact that, in comparing the balance of the district, we find in some cases the same person enrolled twice and sometimes three times, and in some cases parties have not been enrolled. We are correcting them as fast as possible; shall be through in three or four days, when I will forward an amended report of sub-district. At present I do not think it would be safe to proceed with the draft in this district. I am hunting up good men for a guard. This is a very strong copperhead district, and it is generally supposed by our citizens that there is an organization formed and armed to resist. A good many men, Union men, have notified me that copper men in their vicinity had been procuring arms, and by appearances it was to resist the draft. It is understood here that men known as copperhead leaders have received commissions or authority to raise companies or regiments from the Governor to fill up the National Guard, but in fact to resist the draft. It is further stated that one company of National Guard, which is Union, cannot obtain commissions for their officers, arms, or anything in fact that is required. There may be some moonshine in these stories, but whether there is or not, it is safe to be prepared before we commence to draft. I understand there is a regiment in Lewis County, of National Guard, all armed; the colonel is a copperhead, but might respond to a call. One company of his regiment, whose captain is Union, I know would assist; but they are raw militia—not like these that have been under fire. I hope to have the draft pass off without any trouble, but I have no doubt the safest way not to have trouble is to be ready. When would you like the draft to commence?

I have the honor, very respectfully, to remain, your obedient servant,

FRED. EMERSON,
Captain and Provost-Marshal, Twentieth District of New York.

[Inclosure No. 2.]

BUTTERNUTS, *July 29, 1863.*

Maj. F. TOWNSEND:

DEAR SIR: I have a company of infantry, armed with .54 caliber rifles. When the commissary-general sent my guns he wrote me that

he had no infantry accouterments; consequently I am without cartridge-boxes and belts. I received word a few hours since from the Hon. Samuel Gordon, provost-marshal of this district (Nineteenth), that I had better write to you about the matter. I have a company of forty-five men, loyal to the core; I want as many cartridge-boxes and belts, also a quantity of cartridges. Our marshal has given notice that he shall want the services of my company, and we shall be prepared to respond to any call he is obliged to make if we can obtain the above. I have made a requisition to the proper State authorities for them, but get no response. Please do the best you can for me and our district, as we live in the midst of copperheads. Should you choose to send me, send by express to Capt. C. P. Root, Company D, Forty-first New York Butternuts, Otsego County, N. Y.

I am, very respectfully, your obedient servant,

C. P. ROOT.

ELMIRA, *August 1, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

I have arranged for the draft to commence in Buffalo on Wednesday, and can furnish force to enforce it.

A. S. DIVEN,
Acting Assistant Provost-Marshal-General.

ELMIRA, N. Y., *August 1, 1863.*

Col. J. B. FRY:

I will see you on Tuesday morning.

A. S. DIVEN.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Elmira, N. Y., August 1, 1863.

Maj. Gen. JOHN A. DIX:

SIR: I have the honor to acknowledge the receipt of your letter of July 30, requesting me to advise you as to the progress of the draft in my division.

In the Twenty-third District, headquarters Syracuse, the draft has not yet commenced. By Thursday next I hope to be able to have the draft begin there.

In the Twenty-fourth District, headquarters Auburn, the draft is completed in a satisfactory manner.

In the Twenty-fifth District the draft is progressing, and, as far as I am informed, in a quiet manner; headquarters at Canandaigua.

In the Twenty-sixth District, headquarters Owego, the draft is completed and the examination of drafted men going on, and the same is the case in regard to the Twenty-seventh District, headquarters at Elmira.

In the Twenty-eighth District, headquarters at Rochester, I expect the draft to commence on Wednesday next.

In the Twenty-ninth District, headquarters at Lockport, the draft is progressing without any disturbance thus far.

In the Thirtieth District, headquarters Buffalo, the draft will commence on Wednesday next. I have made arrangements to send troops

there on Monday, some 450 men, and I trust that these, together with the force of home troops which the provost-marshal of that district can call to his aid, will be sufficient to guard against any disturbance there.

In the Thirty-first District, headquarters at Dunkirk, the order for draft has but just been received. I expect they will be ready to proceed with the draft in this district by the last of the coming week.

I am, very respectfully, your obedient servant,

A. S. DIVEN,
Actg. Asst. Prov. Mar. Gen., Western Division of New York.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 1, 1863.

His Excellency EDWARD SALOMON,
Governor of Wisconsin:

SIR: The preparations for the draft in New Jersey are not yet completed, and the Governor of that State is permitted to continue the enlistment of troops by volunteering until the draft takes place, when the State will be credited with the men thus raised.

The case is similar in Wisconsin; the preparations there, also, are not completed. You can, therefore, proceed with the enlistment of volunteers until the draft is ordered, and the troops so raised and reported to the Adjutant-General of the Army as mustered into the U. S. service will be credited on the quota of the State.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, August 2, 1863.

Maj. O. A. MACK,
Actg. Asst. Provost-Marshal-General, Concord, N. H.:

Three companies Invalid Corps under Major Wardwell are ordered to proceed to-morrow from Boston to Concord, N. H., and report to you. Use them as you think best. The Fifth New Hampshire Volunteers has also gone to Concord. As soon as you get these forces in hand commence the draft, and if you anticipate trouble, draft in but one district at a time. Confer with the Governor. The notice for draft in district where you first commence might as well be given at once.

J. B. FRY,
Provost-Marshal-General.

GENERAL ORDERS, No. 268. WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, August 3, 1863.

The exigencies under which 100,000 militia for six-months' service, from the States of Maryland, Pennsylvania, Ohio, and West Virginia, were called out by the President's proclamation of June 15, 1863, having passed, it is hereby ordered by the President that on and after the promulgation of this order no more enlistments under the said call shall be made.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CONCORD, N. H., *August 3, 1863.*

Col. J. B. FRY:

Your telegram of yesterday received. Draft ordered to commence in First District on Friday next, Thursday being Thanksgiving Day. The Fifth New Hampshire reached here to-day, about 150 strong.

O. A. MACK,
Major, &c.

CONCORD, N. H., *August 3, 1863.*

Col. J. B. FRY:

Governor Gilmore thinks the draft had not better commence until Monday next, the 11th, so I have directed notice to be given accordingly.

O. A. MACK,
Major and Acting Assistant Provost-Marshal-General.

WAR DEPARTMENT,
Washington City, August 3, 1863.

Governor J. A. GILMORE,
Concord, N. H.:

Your adjutant-general and General Marston, who were in the Department at the time the order for the 800 guns was given, agreed in opinion that the smooth-bore musket, used for ball and buckshot, would answer the purpose in your State. The same arms have been furnished to the Governors of other States for the use of their militia, and no one has found any objection to them. The Springfield arm has been reserved for the troops in active service. If they can be spared, however, for your State I will endeavor to furnish them.

EDWIN M. STANTON,
Secretary of War.

ALBANY, N. Y., *August 3, 1863.*

ABRAHAM LINCOLN,
President of the United States:

My letter will reach you on Wednesday. I wish all drafts delayed, particularly in New York and Brooklyn.

HORATIO SEYMOUR.

STATE OF NEW YORK, EXECUTIVE DEPARTMENT,
Albany, August 3, 1863.

The PRESIDENT OF THE UNITED STATES:

SIR: At my request a number of persons have called upon you with respect to the draft in this State, more particularly as it affected the cities of New York and Brooklyn. To avoid misapprehension, I deem it proper to state my views and wishes in writing.

As the draft was one of the causes of the late riot in the city of New York, and as that outbreak has been urged by some as a reason for its immediate execution in that city, it is proper that I should speak of that event. At the moment when the militia of the city were absent, in pursuance of your request, and when the forces

of the General Government were withdrawn from its fortifications, leaving it defenseless against any attack from abroad or from riot within its limits, the provost-marshal commenced the draft without consulting with the authorities of the State or of the city.

The harsh measure of raising troops by compulsion has heretofore been avoided by this Government, and is now resorted to from the belief on its part that it is necessary for the support of our arms. I know you will agree with me that justice and prudence alike demand that this lottery for life shall be conducted with the utmost fairness and openness, so that all may know that it is impartial and equal in its operations. It is the right of every citizen to be assured that in all public transactions there is strict impartiality. In a matter so deeply affecting the persons and happiness of our people this is called for by every consideration. I am happy to say that in many of the districts in this State the enrolled lists were publicly exhibited, the names were placed in the wheels from which they were to be drawn in the presence of men of different parties and of known integrity, and the drawings were conducted in a manner to avoid suspicion of wrong. As the enrollments are made in many instances by persons unknown to the public, who are affected by their actions and who have no voice in their selection, care should be taken to prove the correctness of every step. Unfortunately this was not done in the district of New York where the drawing commenced. The excitement caused by this unexpected draft led to an unjustifiable attack upon the enrolling officers, which ultimately grew into the most destructive riot known in the history of our country.

Disregard for law and the disrespect for judicial tribunals produced their natural results of robbery and arson, accompanied by murderous outrages upon a helpless race; and for a time the very existence of the commercial metropolis of our country was threatened. In the sad and humiliating history of this event it is gratifying that the citizens of New York, without material aid from the State or Nation, were able, of themselves, to put down this dangerous insurrection. I do not underrate the value of the services rendered by the military or naval officers of the General Government who were stationed in that city; for the public are under great and lasting obligations to them for their courage, their skill, and their wise and prudent counsels. But they had at their command only a handful of Government troops, who alone were entirely unequal to the duty of defending the vast amount of national property which was endangered. The rioters were subdued by the exertions of the city officials, civil and military, the people, the police, and a small body of only 1,200 men, composed equally of the State and national forces, who availed themselves of the able advice and direction of the distinguished military men to whom I have alluded. It gives a gratifying assurance of the ability of the greatest city of our continent to maintain order in its midst, under circumstances so disadvantageous, against an uprising so unexpected and having its origin in questions deeply exciting to the minds of the great masses of its population. The return from the war of some of the New York militia regiments restored peace and security to the city. I ordered troops from different parts of our State, but I could not get them to the city before the riot was quelled. Neither could the General Government give any substantial aid. It could not even man its own forts, nor had it the means to protect its own arsenals and navy-yards against any of the vessels which at that time were engaged in burning the ships of our merchants almost within sight of our coast. For a

time these very fortifications were the chief danger to the harbor of New York. One thousand men could have seized them all and have used their armaments for the destruction of its shipping and of the city itself. At the time that this riot took place I was engaged with Senator Morgan and Comptroller Robinson, of this State, on the subject of harbor defenses. I placed under the direction of General Wool the unorganized bodies of national volunteers still under my command, and I also ordered bodies of the militia from the interior of New York into the fortifications, to be under his control, and I made arrangements with him for their reception; but on the 12th instant, the day before the riot broke out, I was requested by General Wool to countermand my orders directing the militia to proceed to the harbor of New York. The reason for this, I understand, is that the rules of the service or the laws of the United States do not permit the War Department to accept of the services of troops for special or qualified purposes. The inability of the Government at that moment to defend its forts and public property, or to give any substantial assistance in putting down a riot while the militia of the city were supporting the national cause in another field, will best be shown by the following letter, which was communicated to my associates, Messrs. Morgan and Robinson, and to myself, the week before these outrages occurred:

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, June 30, 1863.

His Excellency HORATIO SEYMOUR,
Governor of the State of New York:

SIR: Allow me to call your attention to the defenseless condition of this city. I have only 550 men to garrison eight forts. One-half of these cannot be called artillerists, being very imperfectly instructed in any part of artillery duty. The Roanoke is ordered to proceed to Hampton Roads, leaving no vessel of war in the harbor or at the depot that could be available in less than ten days. The militia of this city and Brooklyn have either been, or are being, sent to protect and defend Pennsylvania, who is now paying dear for her neglecting to take care of herself by guarding her frontier. Is it wise for New York to follow her example by neglecting to protect the city of New York, the great emporium of the country, and of more importance at the present moment to the Government than all other cities under its control? If I had a sufficient number of men to man our guns I might protect the city from ordinary ships of war, but not from iron-clad steamers. In our present condition, from want of men to man our guns, the Alabama or any other vessel of her class might without fear of injury enter our harbor and in a few hours destroy one hundred millions of property.

I have done all in my power to guard against the present condition of the city, but I have thus far been unsuccessful. I have called the attention of the mayor as well as others again and again to the defenseless condition of the city. The mayor can do but little, from the fact that the militia have been ordered to defend Pennsylvania. We ought to have one or two iron-clad steamers and several gunboats to guard the harbor. These, with men to man the guns of our forts, would be sufficient to protect and defend the city.

The company of artillery raised for the forts in this harbor, which I requested Your Excellency to turn over to me, has been sent to Pennsylvania. The condition of the city is an invitation to rebels to make the effort to assail it.

I have the honor to be, very respectfully, your obedient servant,

JOHN E. WOOL,
Major-General.

While this deplorable riot has brought disgrace upon the great city in which it occurred, it is due to the character of its population to say that they were able to put it down without aid from any other quarter; to save their city, and to rescue their own and the Government property from the violence of a mob, at a critical moment when they had sent their armed men to save the national capital from falling into

the hands of hostile arms. For this patriotic service they have already received your thanks and the gratitude of the Nation. However much we may denounce and deplore the violence of bad or misguided men, it would be alike unjust and ungrateful to urge the execution of the draft in any spirit of resentment, or to show any unwillingness to see that the most exact justice is observed in the execution of the measure and in fixing the amount of the quotas. I am sure that you will unite with me in repelling any counsels suggested by excited passions or partisan prejudices; for you have on more than one occasion warmly acknowledged the generous and patriotic promptitude with which the city of New York has responded to calls made upon it by you in moments of sudden peril.

The act of Congress providing for the conscription directs that in determining the quotas of men to be furnished by each State regard shall be had to the number of volunteers and militia furnished by them, respectively, since the commencement of the present rebellion; and that they shall be so assigned as to equalize the number among the districts of the several States, allowing for those already furnished and for the time of their service. I believe that New York is the only Atlantic State, save Rhode Island, which has furnished her full quota heretofore, and has also furnished a surplus, which entitles her to a credit upon the present draft. But the statement made at the office of the Provost-Marshal-General at Washington of the amount of this credit does not agree with that claimed at the office of the adjutant-general of this State. I do not doubt the impartiality of Colonel Fry, and I believe that the difference of these statements can be reconciled if an opportunity is given to compare the records of the two offices. I ask that this may be done. After a careful examination I am satisfied that the quotas now demanded from the Congressional districts in New York and Kings County are glaringly unjust. Either the names enrolled in those districts greatly exceed the true numbers or the enrollments in other parts of the State are grossly deficient. The practical injustice will be the same in either case. If regard is had to the numbers heretofore sent from the several districts, the records of our State show that New York and Brooklyn have furnished more than their proportion. These records were carefully kept under the administration of Governor Morgan. If the quotas now fixed upon these cities are proportioned to the numbers enrolled, they suffer double wrong; for they do not get a due credit for the past, and the enrollments are excessive as compared with other sections of the State.

I send you tables which show these results; and I will also state here a few facts. The quota for the Fourth Congressional District, with a population of 131,854, is 5,881. That fixed upon the Fifteenth Congressional District, with a population of 132,232, is only 2,260. The quota upon the last-named district should exceed that of the city district, for the census return shows that there is a larger population of females and of aliens in the city of New York than in the country. If the comparison is made by the number of voters instead of the population, taking the last election, when the vote was very full, it will be seen that the call upon the city district is 5,881 upon a vote of 12,363, while upon the country district it is only 2,260 upon a vote of 23,165. In two adjoining districts in the city of Brooklyn the discrepancies are equally striking. In that represented by Mr. Odell, with a population of 132,242, the quota is 2,697; in the adjoining district, represented by Mr. Kalbfleisch, with a population of 151,951, it is 4,146, yet the voters are in Mr. Odell's district 16,421 and in that

of Mr. Kalbfleisch 15,967. The draft, as at present proposed, will throw upon the eastern portion of the State, comprising less than one-third of the Congressional districts, more than one-half of the burdens of the conscription. This is particularly unjust toward New York and Brooklyn, for they have not only furnished their full proportions heretofore, without counting the numbers they have given to the Navy of the country, but they have been the recruiting grounds for other States; and constant complaints are now made that agents from other States are now employed for that purpose within those cities and are hiring persons there to act as substitutes, thus reducing still more the number of persons who will be compelled to meet this undue demand which obliges them to leave their families and their homes and to peril their lives, if they are less fortunate than others in their ability to pay the sum fixed as a commutation. I earnestly request that you will direct that the enrolling officers shall submit to the State authorities their lists, and that an opportunity shall be given to me, as Governor of this State, and to other proper State officials, to look into the fairness of these proceedings. Justice to the enrolling officers, to the honor and dignity of the Government, to the people who are so deeply affected, and to the public tranquillity, demands that the suspicions which are entertained shall be removed if they are unfounded. It is just to add that the Administration owes this to itself, as these inequalities fall most heavily upon those districts which have been opposed to its political views. I am sure that this fact will strengthen your purpose to see that justice is done. The enrollments are only completed in about one-half of the districts. The results were sent to me at intervals during the month of July, but were only recently received by me, in consequence of my absence at the city of New York. I am confident you will agree with me that the public interest in every respect will be promoted by affording the fullest evidence of the faithfulness and impartiality with which the conscription is conducted. In the meanwhile large numbers are availing themselves of the bounties offered by the State and National governments, and are voluntarily enlisting, thus mitigating the distress which a compulsory draft necessarily carries into the homes of our people. The State of New York offers liberal bounties to those who enlist.

I believe it will be found that the abandonment of voluntary enlistment for a forced conscription will prove to be unfortunate as a policy; that it will not secure either so many or so effective men as that system which one year since gave to this Government the largest army ever raised within so short a space of time by the voluntary action of any people.

I do not propose to discuss in this connection the reasons why the people withhold the support heretofore so cheerfully rendered. Hereafter I shall make that the subject of another communication. But assuming it to be due to the exhaustion of the number of those able to bear arms, it would only prove how heavily this new demand falls upon the productive interest and labor of our country, and it makes another reason why the heavy burthens of the conscription should be tempered by every act calculated to remove suspicions and to allay excitement. Above all, it should induce every effort to get voluntary enlistments, which fall less heavily upon the domestic happiness and business arrangements of our citizens.

I ask that the draft may be suspended in this State, as has been done elsewhere, until we shall learn the results of recruiting which

is now actively going on throughout the State, and particularly in the city of New York. I am advised that large numbers are now volunteering. Whatever credit shall hereafter be allowed to this State, it is certain that there is a balance in its favor. It is but just that the delinquent States should make up their deficiency before New York, which has so freely and generously responded to the calls of the Government, shall be refused the opportunity to continue its voluntary support of the armies of the Union.

There is another point which profoundly excites the public mind, which has been brought to your attention by persons from this and other States. Our people have been taught that laws must be upheld and respected at every cost and every sacrifice; that the conscription act, which demands their persons and perhaps their lives, must be promptly obeyed, because it is a statute of our Government. To support the majesty of law, a million of men have gone forth from Northern homes to the battle-fields of the South; more than 300,000 have been laid in bloody graves or have perished in lingering disease. The guilt of the rebellion consists in raising an armed band against constitutional or legal obligations. The soldier who has given up his life, the capitalist who has contributed his treasure, the mechanic and the laborer who have paid to the taxgatherer the earnings of their toil have cheerfully made these sacrifices, because they saw, in the power of laws, not only obligations to obedience but protection to their rights, to their persons, and to their homes. It is this protection which alone gives value to government. It is believed by at least one-half of the people of the loyal States that the conscription act, which they are called upon to obey because it stands upon the statute book, is in itself a violation of the supreme constitutional law. There is a fear and suspicion that while they are threatened with the severest penalties of the law, they are to be deprived of its protection. In the minds of the American people, the duty of obedience and the right to protection are inseparable. If it is therefore proposed, on the one hand, to exact obedience at the point of the bayonet, and upon the other hand to shut off, by military power, all approach to our judicial tribunals, and to deny redress for wrongs, we have reason to fear the most ruinous results. These disasters may be produced as well by bringing laws into contempt, and by a destruction of respect for the decisions of courts, as by open resistance. This Government and our people have more to fear from an acquiescence in the disorganizing teachings that war suspends their legal rights or destroys their legal remedy than they have to fear from resistance to the doctrine that measures can be enforced without regard to the decisions of judicial tribunals.

The refusal of governments to give protection excites citizens to disobedience. The successful execution of the conscription act depends upon the settlement by judicial tribunals of its constitutionality. With such decisions in its favor, it will have a hold upon the public respect and deference which it now lacks. A refusal to submit it to this test will be regarded as evidence that it wants legality and binding force. A measure so unusual in the history of this country, which jars so harshly with those ideas of voluntary action which have so long prevailed in this community, and which have been so conspicuous in the conduct of this war, should go forth with all the sanctions of every department of our Government—the Legislative, the Executive, and the Judicial. With such sanctions it would overcome the hostility which it naturally creates in the minds of a

people conscious of their patriotism and jealous of their rights. I earnestly urge that the Government interpose no obstructions to the earliest practicable judicial decision upon this point. Our accustomed procedures give to our citizens the right to bring all questions affecting personal liberty or compulsory service, in a direct and summary manner, to the judges and courts of the State or Nation. The decisions which would thus naturally be rendered within a brief period, and after full and ample discussion, would make such a current of judicial opinion as would satisfy the public mind that the act is either valid or void. The right of this Government to enforce military service in any other mode than that pointed out by the Constitution cannot be established by a violent enforcement of the statute. It must be determined ultimately by the judiciary. It should be determined in advance of an enforcement which must be destructive to so many lives. It would be a cruel mockery to withhold such decision until after the irremediable injury of its execution upon those who are unable to pay the sum demanded in lieu of their persons. Those who are able to commute might have their remedy by recovery of the money paid in commutation.

No evils are to be feared if the law should be pronounced unconstitutional. The submission of this Government to the decisions of our courts would give it a new and stronger hold upon the public confidence; it would add new vigor to our system of Government, and it would call forth another exhibition of voluntary offerings of men and treasure to uphold an Administration which should thus defend and respect the rights of the people. The spirit of lawlessness in our land would be rebuked; respect for legal obligations would be invigorated; confidence in our Government would be strengthened; the dissensions and jealousies at the North, which now weaken our cause, would at once be healed up, and your voice would be potential in calling forth the power and force of a united people. By what willing strength has done in the past, you may foresee what willing and united strength may accomplish in the future. It cannot be said of New York—I believe it cannot be said of any Northern State—that if the conscription act be declared unconstitutional, the Nation is thereby abandoned to weakness and paralysis. Be assured such a fate can never befall a Government which represents the convictions of the people, which works with the spirit and provisions of the Constitution. It is no more possible, under such circumstances, that the Nation should be left in helplessness than that the strong man's arm should refuse to obey his will. If this bill, which stands upon the assumed right of Congress to pass such an act, shall fall to the ground, there is still left the undisputed authority to call forth the armed power of the Nation in the manner distinctly set forth in the Constitution of our country.

I do not dwell upon what I believe would be the consequence of a violent, harsh policy before the constitutionality of the act is tested. You can scan the immediate future as well as I. The temper of the people to-day you can readily learn by consulting, as I have done, with men of all political parties and of every profession and occupation. The Nation's strength is in the hearts of the people. Estrange them, divide them, and the foundations fall; the structure must perish.

I am confident you will feel that acquiescence in my requests will be but a small concession for our Government to make to our people,

and particularly that it should assure itself and them of the accordance of its subordinate laws with the supreme law of the land. It will be but a little price to pay for the peace of the public mind; it will abate nothing from the dignity, nothing from the sovereignty, of the Nation to show a just regard for the majesty of the laws and a paternal interest in the wishes and welfare of our citizens.

Truly yours, &c.,

HORATIO SEYMOUR.

Congressional district.	Population.	Draft.	Vote of 1862.
Twenty-ninth	114,556	1,767	20,097
Seventeenth	114,526	1,838	17,883
Twenty-third	116,980	2,088	22,535
Twenty-eighth	129,365	2,015	21,026
Fifteenth	132,232	2,260	23,165
Twenty-seventh	135,488	2,416	25,601
Thirtieth	141,971	2,539	21,385
New York and Brooklyn districts:			
Third	133,242	2,697	16,421
Second	151,951	4,146	15,967
Sixth	117,148	4,538	12,777
Eighth	175,998	4,892	15,195
Fourth	131,854	5,881	12,963

This statement shows the population, number to be drafted, and the number of voters in the several Congressional districts in which enrollments have been completed, and of which reports have been made to this office up to the 3d day of August, 1863.

ALBANY, *Monday, August 3, 1863.*

Maj. Gen. JOHN A. DIX,

Commanding Eastern Department, &c.:

SIR: I received your letter on Saturday. I have this day sent to the President of the United States a communication in relation to the draft in this State. I believe his answer will relieve you and me from the painful questions growing out of an armed enforcement of the conscription law in this patriotic State, which has contributed so largely and freely to the support of the national cause during the existing war. When I receive the President's answer I will write to you again upon the subject of your letter.

Truly, yours, &c.,

HORATIO SEYMOUR.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 3, 1863.

His Excellency HORATIO SEYMOUR,

Governor of New York, Albany, N. Y.:

SIR: I have the honor to inform you that orders have this day been sent to the Board of Enrollment for the Thirty-first District of New York to make draft for 1,749 of the first class.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 3, 1863.

Maj. FREDERICK TOWNSEND,
Eighteenth Infantry, Actg. Asst. Provost-Marshal-General for Northern Division of New York, Albany, N. Y.:

MAJOR: I inclose herewith letters to the Boards of Enrollment for the Twelfth, Eighteenth, Nineteenth, and Twentieth Districts of New York, directing that a draft be made for 2,013, 2,310, 2,387, and 2,448 men, respectively.

You will not commence to draft without first notifying me by telegraph that you are ready to do so, in any of the above districts, in order that I may inform the Governor.

I am, major, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

(Similar letter sent August 3 to Maj. O. A. Mack ordering draft in Third District, New Hampshire, for 1,769 men.)

ALBANY, *August 3, 1863.*

Col. JAMES B. FRY, *Provost-Marshal-General:*

I am about to leave to-night for Oswego to put the draft through there to-morrow. I have been informed that the draft throughout the whole State is to be stopped. I can hardly believe this, although the information comes very direct from Governor Seymour. Please inform me at once whether this information be correct. I trust not. Answer quick.

FREDK. TOWNSEND,
Acting Assistant Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 3, 1863.

Maj. A. S. DIVEN,
Actg. Asst. Provost-Marshal-General, Elmira, N. Y.:

Have the companies of the Invalid Corps from Louisville joined you yet? If you are here Tuesday morning, can you get back so as to direct things in Buffalo on Wednesday? From what I can learn, Buffalo is the next most dangerous place to New York City, and I hope you will be there in person.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 3, 1863.

General W. D. WHIPPLE, *Comdg. Forces, Pottsville, Pa.:*

I have ordered Captain Tower to push his work to completion under protection of your forces. If the miners resist the law forcibly, I hope you will make a severe example among them.

JAMES B. FRY,
Provost-Marshal-General.

BRATTLEBOROUGH, VT., *August 3, 1863.*

Col. J. B. FRY:

Towns in Vermont which have heretofore furnished surplus of troops above their quotas are continually making applications to me

to have such surplus deducted from the draft now made upon them. A tabular statement made by the adjutant-general of Vermont was recently sent you, showing what towns have furnished surplus over former quotas. Will you please order the proper deductions made at once?

FREDK. HOLBROOK,
Governor of Vermont.

CIRCULAR No. 63. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., August 4, 1863.*

The following opinion of Col. Joseph Holt, Judge-Advocate-General, upon a communication from the office of the Paymaster-General, touching the liability to draft of paymasters' clerks, is published and will govern in this and all analogous cases, viz:

JUDGE-ADVOCATE-GENERAL'S OFFICE,
August 3, 1863.

Claims to exemption from the draft should be strictly construed. Both the letter and spirit of the act for enrolling the national forces require this. The paymasters' clerks, mentioned in this communication, are not found in the list of exempted classes as enumerated; nor is it believed that they can be assigned to what Solicitor Whiting has denominated a third class, and which is necessarily exempt, viz, those in the military service of the United States on 3d of March, 1863. They sustain, it is true, a certain relation to the military service, as do teamsters and others who may receive a ration daily as part of their allowances, but they are not so far in that service as to be liable to the field duty for which the national forces are drafted, and they should not therefore by reason of their position be permitted to escape that liability, should the chances of the draft impose it upon them.

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J. HOLT,
Judge-Advocate-General.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 4, 1863.

Maj. THOMAS M. VINCENT,
Asst. Adjt. Gen., Adjt. Gen.'s Office, Washington, D. C.:

MAJOR: I have the honor to inform you that orders for draft have been sent to the boards of enrollment of the following States and districts upon the dates mentioned below:

Date.	State.	District.	Number of men.
Aug. 3	Maine	Fourth	1,965
3	New Hampshire	Third	1,789
3	New York	Twelfth	2,013
3	.....do	Eighteenth	2,310
3	.....do	Nineteenth	2,387
3	.....do	Twentieth	2,448
3	.....do	Thirty-first	1,749
July 27	Pennsylvania	Sixth	2,000
Aug. 3	.....do	Eighth	1,554
3	.....do	Nineteenth	2,258
3	.....do	Twentieth	2,600

I am, major, very respectfully, your obedient servant,
GEO. D. RUGGLES,
Assistant Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 4, 1863.

His Excellency HENRY A. SWIFT,
Governor of Minnesota:

SIR: Your letter of the 20th ultimo addressed to the Honorable Secretary of War has been referred to me.

There is no provision of law whereby the draft in Minnesota can be avoided or postponed beyond the time necessary to prepare for its execution.

The subject of frontier defense, in connection with Indian hostilities, as set forth in your letter, will be presented to the General-in-Chief for his consideration.

I am, sir, very respectfully, your obedient servant,
JAS. B. FRY,
Provost-Marshal-General.

ADJUTANT-GENERAL'S OFFICE,
Albany, N. Y., August 4, 1863.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.:

MY DEAR SIR: The 10,000 stand of arms which you ordered to be turned over to the State of New York have not been received. General Ripley informs me that the order is in violation of rules and regulations. I doubt if any rules have ever yet been made anticipating the circumstances of this peculiar case. In August, 1862, the United States was in want of arms. Governor Morgan cleared the arsenals of the State and lent the Government 10,000 stand of first-class Enfield rifles. Some six months elapsed, when the United States Government bought them of the State and paid for them about $17 apiece. These arms cannot now be obtained without paying a duty, thus bringing the rifle up to about $23. The State has the money, but arms cannot be obtained without an advance of 35 per cent. In my conversation with you this was understood, and I hardly need repeat it, but I do so in the belief that you will still order the arms to be delivered or allow the State to return the money and the Government turn over 10,000 first-class Springfield rifles. This seems to be no more than an act of justice.

There are now scattered through the different arsenals in the State and in the hands of the National Guard not to exceed 15,000 stand of serviceable arms. All kinds of firearms have advanced in price, and the law of Congress relieving States from the duty having expired, the price is very materially increased.

I have the honor to be, sir, very respectfully, your obedient servant,
JOHN T. SPRAGUE,
Adjutant-General and Lieutenant-Colonel, U. S. Army.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 4, 1863.

General COUCH,
Headquarters Department of the Susquehanna:

The General-in-Chief thinks it best not to push the enrollment and draft in mining districts with the militia under your command.

I don't know what force you have or the character of it, but presuming that it was adequate, and hearing it had gone to the

mining districts, I directed the provost-marshals to push their work under your protection.

Had I better countermand those orders? Let me know how the matter stands.

J. B. FRY,
Provost-Marshal-General.

HARTFORD, *August 4, 1863.*

Col. J. B. FRY:

Can a sub-district, which has furnished a surplus of volunteers on all former calls equal to the number now ordered, be relieved from the form of the present draft? Reply.

WM. A. BUCKINGHAM,
Governor of Connecticut.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, August 4, 1863.

Maj. F. TOWNSEND,
Actg. Asst. Provost-Marshal-General, Albany, N. Y.:

In reply to your telegram the information is not correct.

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, August 4, 1863.

Capt. J. HERON FOSTER,
Provost-Marshal, Pittsburg, Pa.:

General Halleck learns to-day from General Couch that Governor Curtin is mustering out his forces, and says he has no authority to retain them for any other purpose than that for which they were called out. By this we will be deprived of their services for enforcing the draft. The effect may be serious in some parts of the State.

How will it affect you?

JAMES B. FRY,
Provost-Marshal-General.

PITTSBURG, *August 4, 1863.*

Col. JAMES B. FRY:

Until I commence systematically arresting delinquents, say in September, no troops are needed here except the small guard of drafted men at headquarters. I can call a posse to my aid if needed.

J. HERON FOSTER,
Capt. and Prov. Mar., Twenty-second District of Pennsylvania.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Brattleborough, Vt., August 4, 1863:

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: Your telegram of the 3d instant is received. Impressed with the idea that the exemptions in all the districts were greater than they

should be, I left my headquarters on the 27th ultimo to make a personal inspection of the operations of the boards. The result of that inspection I reported to you on the 31st ultimo.

The examinations of the Boards of the Second and Third Districts were entirely satisfactory to me. I did not make as detailed an examination of the operations of the Board of the First District, for the reason that Captain Conner, Seventeenth Infantry (whom I consider in every respect a very competent officer), was present at the headquarters of that Board, and had been since the 16th ultimo. His report is herewith forwarded. I have always regarded the Board of the First District the most efficient one of the three in the State, and from Captain Conner's report and my own observations have reason to believe their operations have been in strict accordance with the law and regulations. Captain Conner is at present at this place, but returns immediately to Rutland, with instructions to be present at the daily meetings of the Board and to note carefully their examinations.

I am, sir, very respectfully, your obedient servant,

T. G. PITCHER,
Brigadier-General, Actg. Asst. Provost-Marshal-General.

[Inclosure.]

FIRST CONGRESSIONAL DISTRICT OF VERMONT,
Rutland, August 3, 1863.

Brig. Gen. T. G. PITCHER,
Actg. Asst. Provost-Marshal-General, Brattleborough, Vt.:

GENERAL: I have the honor to report that in obedience to your instructions I left Brattleborough on the 16th instant and arrived here the same evening, for the purpose of conferring with the Board of Enrollment and endeavoring if possible to prevent an open resistance to the draft in this place, which was seriously anticipated. A military force was at my disposal, which I was authorized to use should necessity require it. Upon my arrival here I found the citizens greatly alarmed. Rumors of threats on the part of the Irishmen in the adjacent quarries to destroy the court-house and other buildings, &c., were freely circulated.

The effect of the arrival of the troops at this time was very good, and a home guard (numbering about 130 men) was at once organized, and muskets were issued to them by the provost-marshal. The troops were marched to their camp and every measure which would be calculated to incite or provoke a disturbance was carefully avoided. On the day when the draft for this, the Fourth Sub-District, took place there were no indications that the presence of troops would be necessary, and none were brought in from camp. Everything passed off in a quiet and orderly manner. The notices were served without opposition until the deputy came to the quarries in West Rutland, where he served a portion of them in one quarry and then came back. As he declined to return he was at once discharged by the provost-marshal. The following morning another officer was sent out for this duty, who succeeded in serving a few notices, when he was surrounded and pelted with stones and followed by a large party armed with clubs and compelled to retreat.

As the next day concluded the limit within which the notices must be served, the troops were placed in close cars and the train run up within less than 100 feet of the quarries. The troops were at once placed in such positions as to be in readiness to act if required to do so,

and four detachments, previously designated for that duty, promptly took possession of the ladders to prevent the exit of the men from the quarries. Several were outside and the notices were served upon such as were present without difficulty. Every effort was then made to find the last residences of those who could not be found, but this could not be done in every instance, though the books of the clerk were examined and all possible information obtained from him and the overseer.

The enrollment was so imperfectly made that several who were drafted have doubtless been absent for months.

One man, named Hugh Corey, who was identified as the person who assaulted with a club the provost-marshal, while endeavoring with the enrolling officer to complete the enrollment, was arrested and lodged in the Rutland jail. I do not anticipate any further difficulty, unless it becomes necessary to arrest some of the employés in the quarries who may fail to report; in this event, a military force will be necessary for this duty.

I have been present at the operations of the Board of Enrollment each day since my arrival here. The provost-marshal and those associated with him have been pushing forward their work vigorously, and the examinations, so far as my observation has gone, have been conducted carefully and with fairness, though the proportion of those who have passed the surgeon and have not availed themselves of either the "substitute" or "commutation" privilege is remarkably small. Of those claiming exemption (forms 25 to 33 inclusive) the Board has been particular to require that the affidavits be made in strict conformity with the established forms and, wherever it was possible, that the parties signing them should be personally known to the members of the Board.

The proportion of those claiming exemption on account of alienage has been large, but the Board has been careful to obtain satisfactory evidence of their validity before allowing any such claims. In conclusion, I have observed every indication of an earnest desire on the part of the members of this Board to transact their business thoroughly, conscientiously, and with justice to all parties; to examine fairly and impartially the claims of all those who may present them, and to exercise a careful watchfulness over the best interests of the public service.

I have the honor to be, general, very respectfully, your obedient servant,

EDWARD J. CONNER,
Captain, Seventeenth U. S. Infantry.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 5, 1863.

Governor BUCKINGHAM,
Hartford, Conn.:

No district can be exempt from draft. My letter to Governor Andrew was to the effect that when it shall be shown that a sub-district has furnished an excess, then a number equal to that excess will be discharged from service. The whole number furnished, with their names, from the sub-district, must be shown, and the names compared with the muster-in rolls in War Department, and

when this is verified the whole number found to have been mustered in must be compared with their total quota, duly verified, and the difference determined.

JAMES B. FRY,
Provost-Marshal-General.

HDQRS. ACTG. ASST. PROVOST-MARSHAL-GENERAL
FOR KANSAS, NEBRASKA, COLORADO, AND DAKOTA,
Leavenworth City, August 5, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: I notice that the adjutant-general of the State of Kansas, under date of the 25th of July, has addressed to you a letter "for the purpose of informing you of the difficulties under which the authorities of this State labor in endeavoring to ascertain the number of soldiers furnished by Kansas, and to give you if possible an adequate idea of the extent of our contributions." While this is the ostensible purpose of the letter, I deem it proper to inform you that its chief purpose seems to be of a political character, inasmuch as it is being circulated to this end by the adjutant-general in the papers of the State. The truth is, the adjutant-general's department of the State of Kansas has never been properly organized; has been conducted in a loose and irresponsible manner, and, as the result of its mismanagement, it is now unable to furnish the necessary statistics for the information of the people of the State, and seeks to throw the responsibility of this failure upon the General Government. I have the honor to suggest for your consideration that you cause to be furnished me from the Adjutant-General's Department the number of men furnished by the State of Kansas in the volunteer forces of the United States, and that you allow me to make this public, either officially or otherwise. I make this suggestion from the fact that the evident purpose sought to be obtained by the adjutant-general in the publication of his letter to you is to get up a feeling in the State that there is a disposition on the part of the War Department to do injustice to Kansas. It is proper to add that this feeling extends only to the small class of men in the community who embrace every opportunity to misrepresent the purposes and policy of the General Government, and who, while openly in favor of the war, are covertly doing all in their power to oppose it.

Very respectfully, your obedient servant,

SIDNEY CLARKE,
Captain and Actg. Asst. Provost-Marshal-General.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,
Springfield, August 5, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: Soon after the commencement of the war and before the General Government could supply any volunteers with arms, I directed all arms belonging to the State to be collected together and issued to volunteers from this State. At the present time there are but about 1,000 stand of serviceable arms belonging to the State and about 700 belonging to the United States in the State arsenal.

I have the best of reasons for believing that a draft if made will be resisted in this State. Copperheads are armed and Union men are almost entirely unarmed. I am encouraging the organization of militia companies and I want arms from the General Government to furnish them. I would respectfully urge upon the Federal Government the necessity of issuing at least 10,000 stand for infantry and sufficient arms to equip two regiments of cavalry and five batteries of artillery. In making this request I wish to excite no unnecessary alarm, but I know the fact to exist that resistance to a draft and threats of violence to Union citizens are openly made in some parts of the State.

I take the liberty of inclosing two communications received to-day, one from the president of the City Council of Mattoon, and the other from Colonel Monroe, of the One hundred and twenty-third Illinois Volunteers.* I am daily in receipt of communications of this character from the central and southern part of the State.

Hoping that you will give this matter your immediate and favorable consideration, I am, with high regards, your obedient servant,

RICHD. YATES,
Governor.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 5, 1863.

His Excellency HORATIO SEYMOUR,
Governor of New York, Albany, N. Y.:

SIR: I have been called upon by persons sent by the towns of Rochester, Batavia, and others, to claim the discharge of drafted persons on the ground that the towns they represent have furnished an excess of men over the calls of 1861 and 1862.

My letter to the Governor of Massachusetts expresses that the benefits promised therein will be conferred when it shall be made to appear by the Governor of any State that an excess has actually been furnished by any town.

I have referred these persons to you in order that they may present their claims to you with the necessary proof, and in order to meet such cases I would be very much obliged to you if you would have prepared a statement showing what quotas were assigned by the State authority to each town under the grand quotas assigned to the State of New York by the General Government, and a list of the names of all men furnished to the United States by each town, with the companies and regiments in which they were mustered into the service of the Government.

You will please bear in mind that no man is considered to have been actually furnished unless he has been duly mustered into the U. S. service.

Now, the question whether any town has actually furnished an excess is one of fact only, and to be decided by ascertaining, first, what the quota was that it was required to furnish; and second, by showing that a greater number has actually been mustered into service from this town.

The quota must also be shown to have been a sufficient one to make up with other towns the whole quota of the State, and how and by whom ordered.

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* Inclosures omitted.

The evidence of being mustered in is the muster-in rolls on file in the Adjutant-General's Department, and the list of names is required for comparison with these rolls.

By this means it can be ascertained whether a town can justly claim to have actually furnished an excess, and I must beg of you to notify all interested that the case must be so made up and presented to you before I can act upon it.

Justice to the rights of the Government as well as to the interests of towns requires that in none but clear cases should exemptions be allowed, and the burden of proof certainly rests upon the parties who will be benefited.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 5, 1863.

Maj. A. S. DIVEN,
Actg. Asst. Provost-Marshal-General, Elmira, N. Y.:

SIR: Hon. A. Ely and Mr. Cohan have called upon me in reference to making allowance for the excess of men furnished from certain parts of the Rochester district, and have asked that the draft be deferred there for six days. I have declined to postpone the draft, but tell them that the days for drawing and the interior operations connected with it are under your control. This letter is written at their solicitation.

I am, major, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

OSWEGO, *August 5, 1863.*

Col. JAMES B. FRY:

The drafting commenced yesterday; is now nearly completed. Everything going on harmoniously.

FREDK. TOWNSEND,
Major, U. S. Army, Actg. Asst. Provost-Marshal-General.

HDQRS. PROV. MAR., FIFTH DIST., STATE OF NEW YORK,
429 Grand Street, New York, August 5, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I have the honor to inform you that since the burning of my headquarters by the mob on the 13th of July I have been able to make no progress with my enrollment lists, in consequence of my inability to secure quarters in the district, the owners of property being averse to letting their premises for our purposes, not from any disloyal feeling to the Government, but fearing there may be a repetition of the scenes of July.

In my opinion these fears are groundless. By permission of General Canby I am now employed with my men in finishing up my

papers on Governor's Island, and in about ten days my lists will all be complete and ready for the wheel.

Inasmuch as it is impossible to hire an office in the district, I would suggest that the old premises be put in temporary repair at the Government expense. The walls are in good condition, so that it is only necessary to replace the timber. I will include the amount in my bill against the city, so that the Government will sustain no loss. The power and dignity of the Government will be fully vindicated by having our business progress in the old headquarters.

Please inform me what to do in the case.

I have the honor to remain, your obedient, humble servant,

JOHN DUFFY,

Capt. and Prov. Mar., Fifth Dist. of New York City, N. Y.

CHAMBERSBURG, *August 5, 1863.*

Col. J. B. FRY,

Provost-Marshal-General:

I have two regiments and a battery at East Pottsville and Scranton and vicinity. My idea is that the enrollment can be completed with present force in those districts. Think it should be increased or more reliable troops sent when drafted men are taken.

D. N. COUCH,

Major-General.

HEADQUARTERS DEPARTMENT OF THE SUSQUEHANNA,

August 5, 1863.

Col. J. B. FRY:

COLONEL: I received your telegram to-day in reference to enrollment in the mining districts. My intention has been to keep a reserve force of three regiments and a battery or more at Reading in order to re-enforce at any point where more troops might be required. But the Governor of the State seems to be of the opinion that he has no authority for retaining the militia to enforce the draft. I think, however, that he will keep seven Philadelphia regiments for their full terms of three months. If the drafted men are taken from their homes at the same time both in Philadelphia and the coal regions seven regiments will be small enough force to sustain the laws. You may be assured that sending troops to Pottsville and Scranton has had a good effect. My idea is to have a sufficient number of troops at either the above places to enforce the draft without bloodshed. The ignorant miners have no fear of God, the State authority, or the devil. The Democratic leaders have not the power of burnt flax over them for good. A strong military power under the General Government alone keeps matters quiet. I shall endeavor to at least maintain the present force there.

Very respectfully,

D. N. COUCH,

Major-General.

WHEELING, *August 5, 1863.*

Hon. E. M. STANTON:

I have just seen an order saying that no more enlistments of six-months' men shall be made. I have a cavalry regiment about full,

four or five companies actually mustered into service, three companies furnished with carbines and clothing. I cannot disband these men without greatly injuring the persons who have spent their time and money in recruiting them. I will be injured because I have induced the people to take an interest in the recruiting, and will be held responsible for the apparent deception. I have also one regiment of infantry pretty nearly made up; also a battery well on the way. I ask to be permitted to complete these organizations. If not all, at least the regiments of cavalry and infantry. Answer soon, as I have a number of men at work in different parts of the State.

A. I. BOREMAN,
Governor.

WAR DEPARTMENT,
Washington, D. C., August 5, 1863.

Governor BOREMAN,
Wheeling, Va.:

It is not easy to understand on what ground you term the President's order an apparent deception. You are surely well enough acquainted with military affairs to understand that an order not limited to any specific period is subject to change or revocation without deceiving anybody, and the notion of your being injured affords no ground to impute deception to the President or his order. The troops that are raised will be received; those that are not raised suffer no injury, and not raising them injures no one.

EDWIN M. STANTON,
Secretary of War.

CINCINNATI, OHIO, *August 5, 1863.*

Maj. Gen. A. E. BURNSIDE,
Commanding Department of the Ohio, Cincinnati:

GENERAL: You are hereby authorized by the Secretary of War to raise and organize into regiments of ten companies each as many troops of African descent as you may be able to, with full authority to designate all officers for such regiments, furnishing me with a roster of such officers, when the necessary orders will be issued. These regiments will be organized under the rules and regulations of the War Department for the organization of the volunteer forces.

I have the honor to be, very respectfully, your obedient servant,
L. THOMAS,
Adjutant-General.

CINCINNATI, OHIO, *August 5, 1863.*

Maj. Gen. J. M. SCHOFIELD,
Commanding, &c., Saint Louis, Mo.:

GENERAL: I am on my way to General Grant's army to organize additional regiments of volunteers of African descent, and understanding you design making an expedition shortly into Arkansas, I trust that you will in the course of your operations collect as many blacks and children as possible. The able-bodied men you can organize into regiments and I will commission such officers for them

as you may designate. You will of course be careful to give me only such officers whose hearts are in the work.

I have the honor to be, very respectfully, your obedient servant,

L. THOMAS,
Adjutant-General.

CIRCULAR } WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
No. 64. } *Washington, August 6, 1863.*

I. The names of men who have entered the military service of the United States for three years or the war, and which may by chance be drawn in the draft, shall be stricken, by the Board of Enrollment of the district in which they may be drawn, from the rolls of drafted men of that district. Suitable remarks explanatory of the case shall in each instance be entered upon the rolls opposite the names thus stricken from them.

The men whose names may be so drawn and stricken from the rolls of any district shall be credited on the quota of that district, and their places shall not be filled from the 50 per cent. drawn to cover exemptions under the second section of the enrollment act.

II. Boards of enrollment are reminded that sections 13 and 17 of the enrollment act require that substitutes shall be "acceptable."

Boards must satisfy themselves in each case as to the acceptability in all respects of the substitute. All the conditions necessary to decide as to such acceptability in every case cannot be specified, but the conditions which recruits for the service of the United States are required to fulfill should be observed in regard to substitutes.

III. The following opinions of Col. Joseph Holt, Judge-Advocate-General, are published for the information of all officers of this Bureau and for their guidance in the cases specified and in analogous cases:

In case of a father claiming exemption for a son under seventh clause of second section of the enrollment act on the ground that he has already furnished two sons to the military service, one of whom is now dead.

Opinion.—The exemption claimed in this case cannot be allowed under the seventh provision of the second section of the enrolling act, because that provision requires that there shall be two members of the same family in the military service at the same time to entitle the residue of the family to the privilege granted.

With regard to liabilty to draft of members of the Enrollment Board and of sutlers.

Opinion.—It seems that under the comprehensive and imperative language of the enrolling act, sutlers, together with the members of the Enrolling Board, are necessarily subject to draft. If the latter are now in the military service it may be a ground, should they be drafted, for relieving them from the duties of the field; but not having been in the military service on the 3d of March, the law gives them no privilege of exemption beyond that which is secured to other citizens.

In case of exemptions obtained by means of false affidavits.

Opinion.—So long as the certificate of exemption remains in force it would not be proper to hold the drafted man as liable to military service. The judgment of the Enrolling Board is declared by the law to be "final" upon the question of exemption, but it is so only while that judgment remains unreversed. The Board, like any other quasi judicial body, may revise its own action and correct any errors which it may have committed. If, therefore, the decision has been based on oaths or testimonies subsequently ascertained to be false, the Board should, having first given notice to the party, proceed to reconsider its action, and if, for the reason mentioned, the judgment should be found to be erroneous, it should be set aside,

and the certificate of exemption based upon it should be vacated and held for naught. The party should then be held for military duty as though no such certificate had been issued. The persons making the false oaths in the matter would be subject to prosecution, but as the military authorities have the first claim on the party drafted, he should not be turned over to the civil authorities without the special direction of the Secretary of War.

In case of persons who were exempted from the draft of 1862 by reason of being engaged in the manufacture of arms for the Government.

Opinion.—No ground is perceived on which the claim of exemption made for these men can rest. The letter of the Secretary of War does not touch the question. It recognizes them, it is true, as in the service of the Government, but this they may well be without their being in the "military service" in the sense of the enrolling act. They do not seem to have been ever enlisted or to have been formally entered into the service for which they were drafted, but, on the contrary, were excused therefrom because of their being engaged in the manufacture of arms for the Government in Colt's establishment. It is in reference to this latter employment that they are spoken of by the Secretary of War as "in the service of the Government," and such service most clearly cannot exempt them.

In case of a substitute who proves to be a deserter from military service, or a man already in that service.

Opinion.—A man who is under obligation to perform military duty on his own account cannot certainly be received as a substitute for another. To be "acceptable" in the sense of the law he must possess all the legal qualifications for the service. But an enlisted man has disqualified and absolutely disabled himself from performing the duties of a substitute by engagements entered into with the Government.

If the Board of Enrollment has been imposed upon and has granted a certificate of exemption because of a substitute furnished who proves to be a deserter, or one already in the military service, the Board should, after notice to the party, proceed to reconsider its action, and should set aside its former judgment and annul the certificate of exemption granted. Its right to do so on a proper showing is undeniable, the act of determining upon the acceptability of the substitute being judicial in its character, and subject to revision and reversal. The certificate of exemption having been thus vacated, the party's original liability under the draft remains.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 65. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., August 6, 1863.*

It is apprehended that Circular No. 53, from this office, in relation to exempting men from the draft on the plea of alienage, is not fully understood by boards of enrollment. Wherever the fact of alienage is clearly established exemption must be granted; but where the Board has any doubt in the matter the case must be referred, through the Provost-Marshal-General, for the decision of the Department of State. Until such decision shall have been obtained all action in the case shall be suspended. The certificate of the State Department shall be deemed conclusive evidence, and the question of liability or non-liability to the draft shall be decided by the Board of Enrollment in accordance therewith.

JAMES B. FRY,
Provost-Marshal-General.

DAVENPORT, IOWA, *August 6, 1863.*

Hon. E. M. STANTON,
Secretary of War:

A large mob of armed men is now organized in Keokuk County, in this State. Its prompt suppression will prevent future occurrences

of the same kind. I have ordered out the militia forces near the scene of disturbance, and hope to have sufficient force, but much depends upon having a sufficient force promptly on hand. I have applied to General Roberts to detain the six companies of the Seventh Cavalry now near the scene of disturbance and send them there. It will cause a delay of but a few days. I ask your approval. Please answer.

SAML. J. KIRKWOOD,
Governor.

FRANKFORT, *August 6, 1863.*

Col. J. B. FRY,
Provost-Marshal-General:

Permit me to say that unless the quota is raised within thirty days the draft in Kentucky will be ordered. This will aid recruiting. Besides, it is right. A draft ought to be made. The rebels ought to be made to play or pay.

JOHN W. FINNELL,
Adjutant-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, August 6, 1863.

Col. ROBERT NUGENT,
Actg. Asst. Provost-Marshal-General, New York City:

You see the assaults in the papers on the enrollment in New York City. Call your provost-marshals together confidentially, go over the whole subject thoroughly, compare the lists carefully, and prepare a full statement that will carry conviction with it. Let this be done as soon as possible.

JAMES B. FRY,
Provost-Marshal-General.

SCHENECTADY, N. Y., *August 6, 1863.*

Col. J. B. FRY,
Provost-Marshal-General:

I have got through with Oswego without difficulty. Wish to put through the draft here—Eighteenth District—to-morrow. Have just received your notification that you wish to inform the Governor. Will you inform him by telegraph? I have with me ninety men. The draft ought not to be delayed a moment.

FREDK. TOWNSEND.

ELMIRA, *August 6, 1863.*

Col. J. B. FRY:

In Buffalo and Rochester the draft was progressing quietly and satisfactorily yesterday.

A. S. DIVEN,
Acting Assistant Provost-Marshal-General.

BUFFALO, N. Y., *August 6, 1863.*

His Excellency HORATIO SEYMOUR,
Governor of New York:

DEAR SIR: As I promised you I would, I visited Washington and conferred with the authorities relative to the subject of our conversation. The executive officers of the Government, in execution of the laws of Congress, will do nothing to assume that these laws are invalid, particularly as in this case they entertain no doubts as to the constitutionality of the law providing for the draft. They would be glad, at the same time, where doubts exist, to have the parties entertaining them satisfied without embarrassing the operations of the Government.

The course suggested at our personal interview, to reach an adjudication that should be final and satisfactory, is the only one that occurs to me, and I hope will be resorted to.

On application for the writ of habeas corpus directly to one of the justices of the Supreme Court, if the applicant simply states the ground for applying for the writ to be the invalidity of the law under which he is held, the justice would, in granting or denying the writ, have but the single question to pass upon, and would, if counsel was to be heard, give time and place for hearing.

The question can thus be put at rest, and I sincerely hope you will advise this course to be adopted by those who want to contest the validity of this act of Congress, as I should regret to have anything occur in the State of New York that could delay the re-enforcement of an army composed so largely of her own devoted men.

I am, Governor, very sincerely, your obedient servant,

A. S. DIVEN,
Actg. Asst. Prov. Mar. Gen., Western Division of New York.

[AUGUST 7, 1863.—For General Orders, No. 274, War Department, Adjutant-General's Office, fixing the maximum amount of transportation to be allowed in the field, see Series I, Vol. XXIX, Part II, p. 14.]

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 7, 1863.

Maj. THOMAS M. VINCENT,
Asst. Adjt. Gen., Adjt. Gen.'s Office, Washington, D. C.:

MAJOR: I have the honor to inform you that orders for draft have been sent to the boards of enrollment in the following States and districts on the dates mentioned below:

Date.	State.	Districts.	Number of men.
Aug. 6	Pennsylvania	Sixteenth	2,267
6	.....do	Seventeenth	1,935

I am, major, very respectfully, your obedient servant,

GEO. D. RUGGLES,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington, D. C., August 7, 1863.

His Excellency Governor SEYMOUR,
Albany, N. Y.:

I send by first mail a letter of which I now telegraph a copy.

A. LINCOLN.

EXECUTIVE MANSION,
Washington, D. C., August 7, 1863.

His Excellency HORATIO SEYMOUR,
Governor of New York:

Your communication of the 3d instant has been received and attentively considered. I cannot consent to suspend the draft in New York as you request, because, among other reasons, time is too important. By the figures you send, which I presume are correct, the twelve districts represented fall into two classes of 8 and 4 respectively. The disparity of the quotas for the draft in these two classes is certainly very striking, being the difference between an average of 2,200 in one class and 4,864 in the other. Assuming that the districts are equal one to another in entire population, as required by the plan on which they were made, this disparity is such as to require attention. Much of it, however, I suppose, will be accounted for by the fact that so many more persons fit for soldiers are in the city than are in the country, who have too recently arrived from other parts of the United States and from Europe to be either included in the census of 1860 or to have voted in 1862. Still, making due allowance for this, I am yet unwilling to stand upon it as an entirely sufficient explanation of the great disparity. I shall direct the draft to proceed in all the districts, drawing, however, at first, from each of the four districts, to wit, the Second, Fourth, Sixth, and Eighth only 2,200, being the average quota of the other class. After this drawing, these four districts, and also the Seventeenth and Twenty-ninth, shall be carefully re-enrolled, and, if you please, agents of yours may witness every step of the process. Any deficiency which may appear by the new enrollment will be supplied by a special draft for that object, allowing due credit for volunteers who may be obtained from these districts respectively during the interval. And at all points, so far as consistent with practical convenience, due credit will be given for volunteers, and Your Excellency shall be notified of the time fixed for commencing a draft in each district. I do not object to abide a decision of the United States Supreme Court, or of the judges thereof, on the constitutionality of the draft law. In fact, I should be willing to facilitate the obtaining of it, but I cannot consent to lose the time while it is being obtained. We are contending with an enemy, who, as I understand, drives every able-bodied man he can reach into his ranks, very much as a butcher drives bullocks into a slaughter pen. No time is wasted; no argument is used. This produces an army which will soon turn upon our now victorious soldiers already in the field, if they shall not be sustained by recruits as they should be. It produces an army with a rapidity not to be matched on our side, if we first waste time to re-experiment with the volunteer system already deemed by Congress, and palpably in fact, so far exhausted as to be inadequate; and then more time to obtain a court decision as to whether a law is constitutional which requires a part of those not now in the service to go to the aid of those who are already in it; and still more time to determine

with absolute certainty that we get those who are to go in the precisely legal proportion to those who are not to go. My purpose is to be in my action just and constitutional, and yet practical, in performing the important duty with which I am charged—of maintaining the unity and the free principles of our common country.

Your obedient servant,

A. LINCOLN.

ALBANY, *Friday, August 7, 1863.*

PRESIDENT OF THE UNITED STATES:

DEAR SIR: On Monday last I sent you a communication with respect to the conscription act. I also sent some tables showing the injustice of the enrollment. To-morrow I will send you more full and accurate statements which will place the errors, if they are not shameless frauds, in a more clear and striking light. I think I have information as to the manner the law has been perverted which may enable Government to bring some of the enrolling officers to justice.

However much I may differ from you in my views of the policy of your administration, and although I may unconsciously to myself be influenced by party prejudices, I can never forget the honor of my country so far as to spare any effort to stop proceedings under the draft in this State—and more particularly in the cities of New York and Brooklyn—which I feel will bring disgrace not only upon your administration but upon the American name.

I shall be able to send you these additional statements in the course of to-morrow.

Truly, yours, &c.,

HORATIO SEYMOUR.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 7, 1863.

Governor SEYMOUR,
Albany, N. Y.:

I have the honor to inform you that orders were mailed here on 3d instant to Major Townsend for making draft in Twelfth, Eighteenth, Nineteenth, and Twentieth Districts.

J. B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, August 7, 1863.

Maj. F. TOWNSEND,
Actg. Asst. Provost-Marshal-General, Schenectady, N. Y.:

If you think best, go on with the draft. I will dispatch Governor Seymour.

JAMES B. FRY,
Provost-Marshal-General.

HEADQUARTERS DEPARTMENT OF THE SUSQUEHANNA,
August 7, 1863.

Colonel KELTON,
Assistant Adjutant-General:

COLONEL: Governor Curtin has notified me that he shall require all of the militia to be mustered out of service but seven Philadelphia regiments.

That will give three regiments to Philadelphia and elsewhere, two to Pottsville and vicinity, and two to Scranton and vicinity, or Luzerne County. I felt it to be of the utmost importance that more regiments should be held, and so represented to the Governor in very strong language, setting forth the urgent necessity that existed for their retention. He states that he has regiments offered to enforce the draft.

My impression [is] that at least twelve regiments would have served under me for the full three months.

I am, very respectfully,

D. N. COUCH,
Major-General.

HEADQUARTERS DEPARTMENT OF THE NORTHWEST,
Milwaukee, August 7, 1863.

Brig. Gen. B. S. ROBERTS,
Davenport, Iowa:

GENERAL: Your letter of the 4th instant with its inclosures is received.* Your actions in referring applicants for military force to interfere in civil broils at political meetings to the Governor of the State meets my views and purposes entirely. The U. S laws specify clearly the circumstances under which U. S. troops are to be employed in putting down insurrections in the State, and the exact method to be pursued to secure their services. When U. S. laws are resisted and U. S. officers endangered in the execution of their duty the manner of employing troops is specifically set forth. The cases arising out of the conscription law are provided for in the law itself. It is desirable of all things, as I have fully explained to you, to avoid complications with the civil authorities and the people, and for this purpose to decline using the military forces of the United States except in accordance with the laws and in the manner prescribed thereby.

In relation to affairs at Dubuque and that vicinity I have only to say that you will be notified at least a week in advance of the order, so that in case of any probable resistance military force can be so disposed beforehand as to make resistance impossible. Meantime no draft has yet been ordered, and it will be sufficient for you to inform Major Duncan that the military commanders are not unmindful of the condition of affairs, and that troops will be found ready when the draft is made at the points where they will be required. In such a state of public sentiment as now exists on the subject any act or display that may tend to exasperate should be carefully avoided.

In the heat of passion and under the influence of threats, either by words or by an unnecessary display of military force, men will commit acts of violence and resistance to which under ordinary circumstances and with discreet conduct they would not think of resorting.

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*Omitted.

The United States are abundantly able to execute the laws, and neither need nor approve of blustering or threatening by their officers in advance of any necessity for the use of force. People in this country have the habit of exercising great latitude in their talk, sometimes no doubt to an extent prejudicial to the public good and to the peace of the country, but after all talk of resisting the laws without committing the act is generally harmless. An attempt to repress this sort of reckless, thoughtless freedom of speech, even when carried to the excess of threatening to resist the laws, might, and probably would, lead to violent outbreaks which otherwise would not have occurred. Federal officers should learn to hold their tongues and do their duty without making counter threats or blustering about the use of military force, which would probably not be required if they did their duty quietly and discreetly. It is not necessary to inform the people of Iowa that troops will be used to enforce the draft nor to hold out to them any such threat in advance of execution of laws, which it is only apprehended they may resist. Such a course would lead naturally to the very resistance it is intended to prevent. It is supposed that the people of this country who are the makers of law will also obey it when they have made it, and although I desire you at points where resistance to the draft is apprehended to make proper disposition of your forces to protect the U. S. officers and secure the execution of the laws, I wish you to do so quietly and unostentatiously, simply that they may be on hand to assure quiet, which probably will not be disturbed unless rash and ill-advised counsel prevail. I have written to General Ripley in relation to the matter of arms for the Eighth Cavalry.

I am, general, respectfully, your obedient servant,

JNO. POPE,
Major-General, Commanding.

GENERAL ORDERS, No. 276. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, August 8, 1863.*

To secure and preserve discipline, provide against disaster from the elements or attack by the enemy, the senior officer in the military service of the United States present with troops upon any transport will assume command, unless he finds, on going on board, a commander already designated by proper authority.

All troops on board the transport will at the earliest moment after embarking be inspected and organized into detachments or companies. The senior officer will assign officers to each detachment or company and take all measures necessary to put his command into the best state of efficiency to meet any emergency.

This order applies to all troops on board of transports, whether on duty or furlough or in separate detachments; and the senior officer on board will be held responsible for any failure in the performance of the duties above imposed upon him, and for the enforcement in his command of strict observance of the article 37, Revised Army Regulations, for the government of troops on transports.

He will require, when arriving in sight of port, a report of the voyage from the senior officer or acting officer of each staff department on board, and will transmit it with his own report, through the proper channel, to the Adjutant-General of the Army.

These reports should give any facts of interest touching the accommodation and health of the troops, the manner in which the officers

and crew of the transport have performed their duties, and the length of the voyage, and any observations which may enable the War Department to detect and correct abuses and punish neglect.

This order will be placed in a conspicuous position in every chartered or purchased transport.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, August 8, 1863.

Governor SAMUEL J. KIRKWOOD,
Davenport, Iowa:

Your call upon General Roberts to detain six companies of the Seventh Cavalry temporarily, for the purpose of preserving the peace within your State, is approved, and directions have been given to General Roberts to comply with your request.

An order has been made affording necessary facilities for the election of commissioners of your State, and will be transmitted to you by mail.

EDWIN M. STANTON,
Secretary of War.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Detroit, Mich., August 8, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: In continuance of previous reports, made pursuant to your telegram of 13th ultimo, I have the honor to state that nothing worthy of being reported has occurred since my last report. The presence of troops here, and the apprehensions of the more wealthy and influential of the opponents of the Government, in consequence of the extent to which the riots in New York were carried, have allayed the excitement in this State, but it is believed that the presence of a military force will be required when the draft is executed here, and I am in hopes of receiving instructions in relation thereto before the troops now here have completed their organization and are ordered off.

We have still here, or in this vicinity, some eight companies of the regiment of sharpshooters, fifty cavalry recruits, mounted, a section of artillery, mounted and manned by Invalid Corps, and the company of provost guards.

Very respectfully, your obedient servant,

B. H. HILL,
Major, Second Artillery, Actg. Asst. Prov. Mar. Gen.

ALBANY, *August 8, 1863.*

To the PRESIDENT OF THE UNITED STATES:

DEAR SIR: I received your communication of the 7th instant this morning. While I recognize the concessions you have made, I regret your refusal to comply with my request to have the draft in this State suspended until it can be ascertained if the enrollments are made in accordance with the laws of Congress or with principles of justice.

I know that our Army needs recruits, and for this, among other reasons, I regret a decision which stands in the way of a prompt and cheerful movement to fill up the thinned ranks of our regiments. New York has never paused in its efforts to send volunteers to the assistance of our gallant soldiers in the field. It has not only met every call heretofore made, while every other Atlantic and each New England State, save Rhode Island, were delinquent, but it continued liberal bounties to volunteers when all efforts were suspended in many other quarters. Active exertions are now made to organize new and to fill up old regiments. These exertions would be more successful if the draft was suspended, and much better men than reluctant conscripts would join our armies.

On the 7th instant I advised you by letter that I would furnish the strongest proofs of injustice, if not of fraud, in the enrollments of certain districts. I now send you a full report, made to me by Judge-Advocate-General Waterbury. I am confident when you have read it you will agree with me that the honor of the Nation and of your Administration demands that the abuses it points out should be corrected and punished. You say that "we are contending with an enemy who, as you understand, drives every able-bodied man he can reach into his ranks, very much as a butcher drives bullocks into a slaughter pen." You will agree with me that even this, if impartially done to all classes, is more tolerable than any scheme which shall fraudulently force a portion of the community into military service by a dishonest perversion of law. You will see by the report of Mr. Waterbury that there is no theory which can explain or justify the enrollments in this State. I wish to call your attention to the tables on pages 5, 6, 7, and 8, which show that in the nine Congressional districts on Manhattan, Long, and Staten Islands the number of conscripts called for is 33,729, while in nineteen other districts the number of conscripts called for is only 39,626. This draft is to be made, upon the first class, upon those between the ages of twenty and thirty-five. It appears by the census of 1860 that in the first nine Congressional districts there are 164,797 males between twenty and thirty-five. They are called upon for 33,729 conscripts. In the other nineteen districts, with a population of males between twenty and thirty-five of 270,786, only 39,626 conscripts are demanded. Again, to show the partisan character of the enrollment, you will find on the twentieth page of Mr. Waterbury's report that in the first nine Congressional districts the total vote of 1860 was 151,243. The number of conscripts now demanded is 33,729. In the nineteen districts the total vote was 457,257, yet these districts are called upon to furnish only 39,626 drafted men. Each of the nine districts gave majorities in favor of one political party. Each of the nineteen districts gave majorities in favor of the other party. You cannot and will not fail to right these gross wrongs.

Truly, yours, &c.,

HORATIO SEYMOUR.

[Inclosure.]

OFFICE OF THE JUDGE-ADVOCATE-GENERAL
OF THE STATE OF NEW YORK,
New York, August 7, 1863.

To His Excellency HORATIO SEYMOUR,
Governor of the State of New York:

SIR: In accordance with your directions I have made the most thorough examination practicable into the manner in which the draft of

conscripts under the act passed at the last session of Congress has been apportioned. For that purpose I proceeded to Washington and conferred upon the subject with the President, and also with the Provost-Marshal-General. It gives me great pleasure to state that both of these gentlemen manifested an earnest desire to give all the information in their power, and they also expressed their wishes and their determination that the draft should be made, as far as possible, just, fair, and equitable in every respect.

I handed to Colonel Fry your note requesting a written statement of the rule by which the draft was made, and received in reply the letter to you which is herewith delivered.* So far as the draft has yet been ordered, the apportionment to each district and State is independent of every other district and State. It has been ordered in all the Eastern and Middle States. With the exception of New York and Rhode Island, all of these States are claimed at the War Department to be in arrear in the furnishing of volunteers under the calls made by the President previous to the passage of the conscription act. The Western States are not in arrear, but I believe the draft in these States is delayed until it is settled whether, under the conscription act, the equalization of the call for conscripts which the President is required to make, taking "into consideration the number of volunteers and militia" heretofore furnished, shall be upon the basis of the whole population or of the male population. In the Eastern and Middle States, most of which are in arrear, the female population exceeds the male; but in the Western States the male population is largely in excess of the female.

The draft ordered in each district is based upon the enrollment in that particular district. The number of conscripts required is 20 per cent., or one-fifth, of the whole number enrolled in the district in the first class. Besides this, 50 per cent. additional, or one-tenth of the number enrolled in that class, is to be drawn to supply the places made vacant by exemptions. This rule is distinctly stated in the letter of Colonel Fry, and is the rule by which the draft is made. It will be seen that it rests the fairness and correctness of the draft entirely upon the enrollment, or, in other words, upon the competency, honesty, and fidelity of the enrolling officers.

It is now conceded by the Federal Administration that this State has more than supplied its quotas under all previous calls for volunteers. It is due to the people of this State and to the War Department to record the fact that the latter has rendered to our State this measure of justice. If I remember rightly the excess accorded to us is 4,695, which is credited to the several districts on account of the draft, but I believe the total of the credits is slightly less—say a total of 4,500. I am informed by General Sprague, the adjutant-general of the State, that this is at least 15,000 less than the credit justly due to us.

The following table, which is made up by Congressional districts, shows for each district the total number of persons enrolled in the district in the first class, which by the conscription act should consist only of citizens, and aliens who have taken the incipient step to citizenship, and who are between twenty and thirty-five years of age, and, if unmarried, between thirty-five and forty-five. It also shows the credit to the district on account of the allowance to the State for excess of volunteers, the number of conscripts required, and the

* See July 28, p. 584.

number of names to be drawn. It will be seen upon computation that the number of conscripts required is 20 per cent. of the persons enrolled, less the credit for excess of volunteers. The names drawn include 50 per cent. upon the number of conscripts required, the additional draft being to supply vacancies caused by exemptions.

In the first two tables I have placed the nine districts comprising the islands which line the bay of New York, Manhattan, Long, and Staten Islands by themselves, styling them the metropolitan districts. There are some marked features in the enrollment for most of these districts, which can be more easily seen by a separate classification.

District.	Counties.	Number first class enrolled.	Allowance for excess of volunteers.	Number conscripts required.	Number names to be drawn.
	METROPOLITAN DISTRICTS.				
First	Suffolk, Queens, and Richmond	11,812	150	2,212	3,318
Second	Part of Brooklyn and Kings County	21,493	150	4,146	6,219
Third	Part of Brooklyn	14,241	151	2,697	4,046
Fourth	Wards 1, 2, 3, 4, 5, 6, 8, New York	30,160	151	5,881	8,822
Fifth	Wards 6, 7, 10, 13, New York	17,703	150	3,290	5,085
Sixth	Wards 9, 15, 16, New York	23,447	151	4,538	6,808
Seventh	Wards 11, 17, New York	18,013	150	3,452	5,178
Eighth	Wards 18, 20, 21, New York	25,212	150	4,892	7,338
Ninth	Wards 12, 19, 22, New York	13,359	150	2,521	3,782
	Total	175,430	1,353	33,729	50,596
	INTERIOR DISTRICTS.				
Twelfth	Dutchess and Columbia	10,818	150	2,013	3,019
Thirteenth	Orange and Green	10,784	150	2,006	3,009
Fifteenth	Rensselaer and Washington	12,602	150	2,370	3,555
Sixteenth	Clinton, Essex, and Warren	7,965	100	1,493	2,239
Seventeenth	Saint Lawrence and Franklin	9,843	150	1,818	2,727
Eighteenth	Fulton, Hamilton, Montgomery, Saratoga, and Schenectady	12,305	151	2,310	3,466
Nineteenth	Otsego, Chenango, and Delaware	12,690	151	2,387	3,581
Twentieth	Jefferson, Herkimer, and Lewis	12,995	151	2,448	3,672
Twenty-first	Oneida	9,484	150	1,746	2,620
Twenty-second	Oswego and Madison	11,093	150	2,068	3,102
Twenty-third	Onondaga and Cortland	11,195	151	2,088	3,132
Twenty-fourth	Cayuga, Wayne, and Seneca	12,063	150	2,262	3,393
Twenty-fifth	Ontario, Livingston, and Yates	10,445	153	1,936	2,906
Twenty-sixth	Broome, Tompkins, Tioga, and Schuyler	11,280	100	2,152	3,227
Twenty-seventh	Steuben, Chemung, and Allegany	12,850	151	2,419	3,629
Twenty-eighth	Monroe and Orleans	11,007	150	2,051	3,076
Twenty-ninth	Niagara, Genesee, and Wyoming	9,332	100	1,767	2,649
Thirtieth	Erie	13,195	100	2,539	3,808
Thirty-first	Chautauqua and Cattaraugus	9,519	150	1,753	2,630
	Total	211,445	2,658	39,626	59,439
	Grand total	386,875	4,011	73,355	110,035

The enrollment for the Tenth District—Westchester, Putnam, and Rockland Counties; the Eleventh—Orange and Sullivan, and the Fourteenth—Albany and Schoharie, is not yet completed, and consequently no quota has yet been apportioned to nor has a draft been ordered in those districts. They are, therefore, omitted from all the tables in this report.

It will be seen by a glance at the above table that the burden of the conscription upon the nine metropolitan districts is nearly equal to that upon the other nineteen districts. This gross inequality is more conclusively shown by the following table, in which the enrollment for the first class, being the basis of the draft, is contrasted, by districts with, first, the total population by the census of 1860; second, number of males between twenty and thirty-five years of age, between

thirty-five and forty-five, and the total number between twenty and forty-five; and third, the enrollment made last year by the State government:

District.	Total population.	Census of 1860.			State enrollment, 1863.	Federal enrollment, 1863.
		Males 20 to 35 years of age.	Males 35 to 45.	Males 20 to 45.		
METROPOLITAN DISTRICTS.						
First	126,158	14,907	7,823	23,730	21,247	11,812
Second	146,950	18,184	9,995	28,179	34,256	21,483
Third	132,172	17,047	8,437	25,484	25,080	14,241
Fourth	134,845	24,637	10,365	35,002	38,324	30,160
Fifth	129,983	19,234	8,932	28,166	35,154	17,708
Sixth	117,148	16,073	7,730	23,803	31,143	28,447
Seventh	132,524	18,102	9,123	27,225	35,973	18,013
Eighth	173,998	21,434	11,318	32,742	39,095	25,212
Ninth	125,171	15,189	8,664	23,853	26,994	13,359
Total	1,218,949	164,797	82,387	247,184	297,266	175,430
INTERIOR DISTRICTS.						
Twelfth	112,113	12,949	6,659	19,608	21,706	10,818
Thirteenth	108,311	12,977	6,447	19,424	17,743	10,784
Fifteenth	132,232	16,203	7,929	24,132	23,485	12,602
Sixteenth	95,383	10,718	5,020	15,738	13,110	7,965
Seventeenth	114,526	12,995	5,842	18,837	18,090	9,843
Eighteenth	129,783	15,234	7,527	22,761	23,134	12,305
Nineteenth	133,556	15,782	7,673	23,455	23,367	12,690
Twentieth	138,966	16,669	7,926	24,595	22,793	12,995
Twenty-first	105,202	11,852	6,210	18,062	19,444	9,484
Twenty-second	119,503	14,057	6,914	20,971	20,500	11,098
Twenty-third	116,980	14,177	7,054	21,231	21,107	11,195
Twenty-fourth	131,667	16,270	8,066	24,336	23,909	12,063
Twenty fifth	104,399	12,910	6,166	19,076	19,041	10,445
Twenty-sixth	114,903	13,810	6,781	20,591	21,561	11,260
Twenty-seventh	135,488	16,345	8,106	24,451	24,582	12,850
Twenty-eighth	129,365	15,513	7,799	23,312	24,468	11,007
Twenty-ninth	114,556	13,474	6,648	20,122	20,388	9,332
Thirtieth	141,971	16,205	9,039	25,244	27,079	13,195
Thirty-first	102,308	12,646	6,137	18,783	17,695	9,519
Total	2,281,212	270,786	133,943	404,729	404,102	211,445
Grand total	3,500,161	435,583	216,330	651,913	701,368	386,875

In Colonel Fry's letter he says of the enrollment under the conscription act that "in its main features in the city of New York it agrees very well with the enrollment made last year by General Anthon." It is true that the Federal enrollment is somewhat smaller than the State enrollment was in New York and Brooklyn, but a glance at the figures will show that in each district outside of these cities the Federal enrollment is only about one-half as large as the State enrollment. There should be as great a disparity in these two cities, and because there is not, the Federal enrollment is condemned by the test proposed by Colonel Fry.

The State enrollment was necessarily the largest. It included all citizens from eighteen to forty-five years of age, while the Federal enrollment for the first class only includes citizens and inchoate citizens from twenty to thirty-five years of age, and, if unmarried, from thirty-five to forty-five. The number of unmarried men of the ages last specified is very small. The State enrollment also included exempts, of which there were 176,912 in the State.

The fact is, however, that the State enrollment last year for the cities of New York and Brooklyn was also enormously too large. Then, as now, people were enrolled and re-enrolled in these cities

without much regard to the point whether or not they were liable to be enrolled at all. That it was too large in New York and Brooklyn is fully shown by the above tables. The State enrollment, except in the districts numbered 2 to 9, inclusive, is about the same as the number of males between twenty and forty-five years of age, according to the census of 1860. In the interior districts, in an aggregate of over 400,000, the difference, as the table shows, is only 627. In districts 2 to 9, however, comprising the cities of New York and Brooklyn, the State enrollment exceeds the total number of males of the same ages by more than 50,000. When it is remembered that the Federal enrollment, compared with the State enrollment, added over 30,000 to the disproportion against the city, the excessive injustice of the Federal enrollment is more fully perceived.

If a calculation be made of the proportion that the Federal enrollment bears to the number of males from twenty to thirty-five years of age, according to the census of 1860, it will be seen that the enrollment is 116 per cent. in the metropolitan and 78 per cent. in the other districts. In other words, in the city districts the enrollment is 16 per cent. more than the whole number of males of those ages, and in the country districts 22 per cent. less than the whole number.

So in respect to the total population. The enrollment in the city districts is 14.2 per cent. of the whole, and in the country districts 9.2 per cent., being a discrimination of 5 per cent. against the two cities.

Such a disproportion is fully explained by the fact. The greater part of the persons doing business in the two cities, whether on their own account or in the employ of others, were enrolled twice, and some were enrolled three or four times each. It can be proved by an overwhelming mass of testimony that enrolling officers went to places where men were employed or did business away from their homes, demanded and took the names of all persons there, notwithstanding they were already enrolled at their homes, and, while so doing, refused to add the residences to the names they took. By this course persons residing not only in different districts but also in other counties and States were wrongly enrolled at their places of business. So also, every person who was not manifestly under twenty or over forty-five years of age was enrolled. A statement of an age below or above the limits of the conscription act did not avail anything unless the physical signs were so convincing that it would have been absurd to reject them, and in some cases even then they were not accepted. Besides these, the aliens in the two cities, a host in themselves, were enrolled, as though they were citizens, and, like citizens, most of them, two, three, or four times each. In some cases the poll lists were copied, and infirm men, some even past three-score years and ten, were swept into the enrollment.

The effect of this wholesale taking down of names is strikingly displayed in the case of the Second Ward in the city of New York. The Federal enrollment in the first class is 1,746. The whole population in the ward, by the census of 1860, was 2,507, and the number of males twenty to forty-five years of age was 847, of which the number twenty to thirty-five years of age was 639. A full vote of the ward is about 450. The number of conscripts required from the ward is about 340. If these were exacted no draft would be necessary, for it would take to supply them every able-bodied man in the ward liable under the conscription act to do military duty in the first class.

The effect upon individuals is illustrated by a case which I will cite. On my return from Washington I obtained in the cars a copy of a leading Administration journal for which some person writes, over the signature of "Carl Benson," in favor of the speedy and relentless enforcement of the draft. In it there was a communication by him complaining that by the delay he was detained in the city to answer a possible drawing of his name. He says, "I am one of a household of five males, all of the others aliens and myself physically disqualified. No matter; we are on the books and cannot be taken off until after the draft." Without relief, the effect of the enrollment of these five persons, none of whom could be made to serve, would be, although none of them were drawn, to require positively some other man wrongfully to serve as a conscript. With relief, the enrollment of the four aliens, if the names are fairly drawn, will do no harm; but the diseased man, if he is drawn, hobbles to the enrolling office, and compels some other man, perhaps in some respects less able, to endure in his place somewhat greater hardship and danger than a continued sojourn amid the enjoyments of home.

I pause here to notice a statement in some of the public prints that the draft is heavier in the city of New York because that city was behind in its supply of volunteers. It would be a sufficient answer to state again the fact that in no district of this or any other State is there any addition to the number of conscripts required by reason of any such deficiency.

It is my wish to go further and render the justice that is due to the city of New York, especially as some of the journals printed within its limits are striving to defame it. Such imputations are based upon statements of the volunteers furnished since the 2d of July, 1862. The work of the city of New York was mainly done before that day. When the Union was assailed and its flag fired upon by armed traitors, the people of this city, though they had voted two to one against the party in power, exerted themselves with unprecedented enthusiasm and unanimity to supply the Administration most abundantly with men and means. Before the 2d of July, 1862, the volunteers raised in the city of New York were 51 regiments of infantry, 6 regiments of cavalry, 1 battalion of mounted rifles, 1 regiment of engineers; 1 regiment, 2 battalions, and 7 batteries of heavy artillery; 1 regiment of marine artillery, and 1 rocket battalion, making a total of 53,554 men. In all the rest of the State there were raised before July 2, 1862, 37 regiments of infantry, 4 regiments of cavalry, and 1 regiment, 1 battalion, and 2 batteries of heavy artillery, being a total of 36,219 men. I will deduct one-fourth of the forces raised in New York, a very liberal amount for volunteers from Brooklyn, which latter city, though it raised four regiments besides, in furnishing volunteers, as it is in most other respects, was one community with New York. I make no allowance for volunteers from other places, because they would not equal in number those for other counties and States recruited in New York. This deduction would reduce the number of volunteers furnished by New York City to 40,166. The total of the quotas of this city upon the basis of population—the worst basis for the city—under all the calls for volunteers was 38,505. Of course, as the city was well emptied before July 2, 1862, it could do comparatively little afterward. It has furnished since, however, at the very least, 10,000 volunteers, besides the repeated temporary service of its militia; all of which, in addition to the excess of 1,661 before July 2,

1862, is over and above its quota of all calls for volunteers previous to the conscription act.

To relieve any idea that the discrepancies I have shown are occasioned by differences of population between the city and the country, I am fortunately able to contrast the enrollment and draft for New York with those for Philadelphia, the next largest city in the Union. In Philadelphia the enrollment for the first class is 59,634, being 9.5 per cent. of the population, and in New York 127,894, being slightly over 15.6 per cent. The difference against New York is more than 6 per cent. This proves that if the enrollment in Philadelphia is correct, then the enrollment in New York is 50 per cent. too large. Upon the vote of last fall the draft in Philadelphia is one to every four voters, and in New York one to every three. This extra imposition upon New York is in spite of the fact that an allowance is made to New York for an excess of volunteers, while Philadelphia is entitled to no allowance of the kind.

The comparisons above made are not so unfavorable to those by whom the enrollment was controlled as to prove intentional wrong. The discrepancies might, in charity, be ascribed to the greater incompetency, carelessness, and overzeal of some of the enrolling officers compared with others. I regret to be compelled to say that the real truth of the case is so bad as to be inconsistent with any other conclusion than that of intentional fraud, as I will prove most conclusively.

Neither the census returns of the whole population nor of the number of males from twenty to forty-five years of age is a correct basis for an estimate of the number of persons in New York and Brooklyn liable to enrollment under the conscription act. In the process of demonstration which I now propose it is important, first, to correct two erroneous impressions.

Contrary to the popular belief, the census returns show that in the State of New York, in the cities, there is a greater number of females than of males, and in the agricultural counties a greater number of males than of females. There are sixty counties in the State. In twenty of these there are more females than males. In only four of the twenty does the excess of females amount to 1,000, and those four include the cities of New York, Brooklyn, Albany, and Troy. In New York the excess of females is 18,000.

There is a like error prevailing in respect to the comparative numbers of males of middle age in the city and in the country. In the city of New York the male inhabitants from twenty to thirty-five years of age are 14.1 per cent. of its whole population and in the rest of the State the males from twenty to thirty-five years of age are 15.7 per cent. of the whole population.

Having shown that it is not true in either of the two respects in which it is generally supposed to be that the number of persons liable to service under the conscription act is proportionately larger in the city than in the country, I now state a reason why the proportion of persons liable to conscription is much smaller in the city than in the country. It is the comparatively greater number of aliens in the city. More than one-third of the inhabitants of the city of New York are aliens by birth, and a large portion of these, even of the males, are not naturalized. In no other county in the State is the proportion as large, though it is very large in Kings and Albany, and large in some others. The aliens are enrolled all over the State, and if care

is not taken, in localities where they are numerous, to see that the ward or town has the benefit of the rule I will presently refer to, such places will be subjected to an unjust share of the burden of the conscription.

Aliens are not liable to the conscription, though they make good soldiers. Such persons have formed a large proportion of our armies. I believe that the city of New York has sent at least 75,000 resident volunteers to the war, which it could not have done without the service of aliens. No alien, however, will consent to be forced into the Army as a conscript. If willing to serve, he will add to the credit of voluntary service the bounty he can obtain as a volunteer or the premium as a substitute.

Aliens do not vote, and therefore we must refer to the number of votes cast in the respective districts to measure the correctness of the number of conscripts required. Before I do this I will notice the respects in which the liability to the conscription differs in this State from the right to vote.

First. Negroes are embraced in the conscription, but, with the rare exception of freeholders, they cannot vote; however, the number of male negroes from twenty to thirty-five years of age in the whole State is less than 6,000. The proportion of negroes to the whole population is larger in some other counties than in New York. In the latter it varies but slightly from the proportion in the whole State. I may as well state here that as negroes are included in the conscription, they are also included in all the tables and computations of this report.

Second. Aliens who have declared their intention to become citizens. There is never a large number of these, and many of them have been driven away by the warning of the President's proclamation. I do not believe that there are 5,000 such persons enrolled in the whole State.

Third. Minors over twenty years of age. There was a very large number of these in the State, but a large portion of them have volunteered. By the census of 1860 the proportion of this class to the whole population is ninety-five one-hundredths of one per cent. in the city of New York and one and ten one-hundredths in the rest of the State; or, in other words, they are fifteen one-hundredths of one per cent. less numerous in the city of New York than in the rest of the State. The advocates of justice to the city can give their opponents the benefit of this advantage.

On the other extreme, persons over forty-five years of age are exempt from conscription. As in respect to minors, there is no essential variation in the proportionate numbers of the city and country.

I have shown that there is no reason why the number of persons liable to conscription should not, in every part of the State, bear about the same proportion to the number of voters. I will now give the total vote for President in 1860 in each district to which a quota of conscripts has been assigned, and also the number of conscripts required. In doing so, I place the districts which gave a majority for Mr. Lincoln in one column and those which gave a majority against him in another.

1860.

LINCOLN DISTRICTS.			ANTI-LINCOLN DISTRICTS.		
District.	Total vote.	Conscripts required.	District.	Total vote.	Conscripts required.
Twelfth	22,664	2,013	First	19,194	2,212
Thirteenth	19,698	2,005	Second	17,169	4,146
Fifteenth	26,540	2,370	Third	19,297	2,697
Sixteenth	17,167	1,493	Fourth	17,278	5,881
Seventeenth	20,874	1,818	Fifth	15,763	3,390
Eighteenth	27,389	2,310	Sixth	17,092	4,538
Nineteenth	29,188	2,337	Seventh	14,860	3,452
Twentieth	28,522	2,448	Eighth	18,802	4,892
Twenty-first	21,519	1,746	Ninth	11,788	2,521
Twenty-second	23,995	2,068			
Twenty-third	24,070	2,088			
Twenty-fourth	26,497	2,262			
Twenty-fifth	22,317	1,936			
Twenty-sixth	25,566	2,152			
Twenty-seventh	27,678	2,419			
Twenty-eighth	24,204	2,051			
Twenty-ninth	22,541	1,767			
Thirtieth	23,315	2,539			
Thirty-first	21,518	1,753			
Total	457,267	39,626	Total	151,243	33,729

The three districts to which a quota has not been assigned each gave an anti-Lincoln majority.

The nine anti-Lincoln districts are required to furnish nearly as many conscripts as the nineteen Lincoln districts, although the latter polled more than three times the number of votes. Nothing in respect to the draft could be more startling than this conclusive exhibit.

To show that the result is not to be in any degree attributed to any special circumstances attending the election of 1860, I also give a similar statement in respect to the election last fall:

1862.

SEYMOUR DISTRICTS.			WADSWORTH DISTRICTS.		
District.	Total vote.	Conscripts required.	District.	Total vote.	Conscripts required.
First	17,604	2,212	Fifteenth	28,115	2,370
Second	16,045	4,146	Sixteenth	14,634	1,493
Third	16,431	2,697	Seventeenth	17,896	1,818
Fourth	12,558	5,881	Eighteenth	25,650	2,310
Fifth	12,079	3,390	Nineteenth	28,421	2,337
Sixth	12,852	4,538	Twentieth	25,928	2,448
Seventh	12,376	3,452	Twenty-first	19,305	1,746
Eighth	15,573	4,892	Twenty-second	21,188	2,068
Ninth	11,410	2,521	Twenty-third	22,454	2,088
Twelfth	19,247	2,013	Twenty-fourth	25,074	2,262
Thirteenth	18,655	2,006	Twenty-fifth	19,774	1,936
Thirtieth	21,425	2,539	Twenty-sixth	23,665	2,152
			Twenty-seventh	26,882	2,419
			Twenty-eighth	21,009	2,051
			Twenty-ninth	20,182	1,767
			Thirty-first	18,954	1,753
Total	186,255	40,287	Total	353,631	33,068

The three omitted districts each gave a Seymour majority.

Twelve Seymour districts are required to bear a much larger draft than sixteen Wadsworth districts, polling nearly double the number of votes.

The Second District, Brooklyn, and the six districts in New York City, the fourth to the ninth, polling 92,893 votes, being only about one-sixth of the whole number, are required to furnish 28,920 conscripts, being about two-fifths of the whole number; that is, seven districts are to furnish two-fifths of the conscripts, and twenty-one districts three-fifths.

In further proof of the fact that the city of New York has furnished more than its quota of volunteers, it may be noted that in the six districts of that city the average falling off of the total vote in 1862, from the total vote of 1860, was 3,122, while in the other twenty-five districts in the State the average falling off was only 2,196, nearly 1,000 less. The whole truth is even stronger than this, for never of late years has an election in the city been so generally attended as was the one in 1862. The city contains nearly 250 election districts, and in each of these persons came up to register themselves who had not voted in many years. In some cases there were fifty such persons in a district, and some of them had not voted in twenty years.

I have purposely made the above statements by political classifications. Many persons express a great dislike of political divisions at the present time. The President, especially in a letter to the officers of an Albany Democratic meeting, deplored the fact that it was a meeting of Democrats. Facts, however, cannot be destroyed by concealment. The enrollment is a partisan enrollment, and it is better to show that it is so while its political discriminations can be corrected. I have confidence in the President that he will be so true to the sentiment which excepted to a Democratic meeting as to compel the abandonment of the attempt to use the conscription act as an engine of wrong and oppression to the Democratic party.

In some districts there are omissions more or less numerous from the enrollment. The political preferences of the persons omitted need not be stated, nor need those who do not approve of the policy of the Administration even express a regret. Colonel Fry says in his letter that in such cases "the General Government is alone the loser." This is not strictly correct. The omissions are most numerous in districts largely in favor of the policy of the Administration, and by the under-enrollment the people of those districts are deprived of an opportunity to do their equal share of the fighting in the field to sustain the policy they indorse by large majorities at the ballot box.

In respect to the Democratic districts, and especially to the city of New York, the case is different. There has been a manifest design to take out of that city by conscription the greater part of its large Democratic majority. This is evident, not only from the character of the enrollment, but also from the fact that, as far as the draft proceeded, the names drawn were mainly those of Democrats. This is an ungenerous course toward a city which has contributed so liberally in every respect to the support of the Federal Government. Those who originated it failed to perceive, or else they did not care, that if 25,000 able-bodied men could be forced out of the city of New York it would interfere with the business operations of the metropolis to an extent that would not only cripple the national cause, but also be felt throughout all the States true to the Union.

This scheme of fraud has certainly been conceived and prosecuted without the knowledge of the Provost-Marshal-General. I found that gentleman not only ready to supply the fullest information, but also anxious to obtain a knowledge of every wrong or injustice. The President also was decided in the expression of his views to the same effect, and was earnest and emphatic in the assurances he desired me to convey to you that every substantial wrong or error pointed out to him should be corrected. We must look to the irresponsible cabal outside, which has often perverted the present contest to uses worse than partisan, for the source of this iniquity. It is now fully exposed. If justice is done it will be corrected. If not, whether it is carried out with more or less success, it will remain in history as a gigantic political fraud.

How shall the wrong be corrected? The conscription act evidently intended that the enrollment should be purged before the draft, but this course has not been pursued. Without it a new enrollment would not be effective to remedy the wrong. Colonel Fry, upon my pointing out the over-enrollment, immediately suggested the remedy which he has expressed in his letter, and has since carried out, partially, in a circular to his subordinates. In his letter he says that non-residents and aliens "if drawn in the draft will be discharged and their places are not to be filled by the district, the 50 per cent. additional to the quota being called for only to supply vacancies caused by exemptions granted under the law to residents of the district."

I understand this rule to be founded on the principle that the place of no person wrongly enrolled and drawn is to be supplied, and that the 50 per cent. additional is only to make good the exemptions allowed by the second section of the conscription act. If so, the draft of persons of the following classes will be a nullity and their places will not be supplied, viz:

First. Persons not residing in the districts in which they are drawn.

Second. Aliens who have not declared their intentions to become citizens.

Third. Persons under twenty or over forty-five years of age, or if unmarried, over thirty-five.

Fourth. Persons in the military service of the United States on the 3d of March, 1863.

Fifth. Unknown persons. If the enrollment was fictitious, of course it should amount to nothing; if it was not, the law makes the enrolled person a deserter and puts upon the Government the duty of obtaining his services.

I further understand that by Colonel Fry's rule the 50 per cent. additional draft is to be used only to supply vacancies caused by the drawing of persons not embraced in either of the above classes, but who are exempted under the second section of the conscription act, such persons being of the following classes, and none other, viz:

First. Those physically or mentally unfit.

Second. The only sons, or one of the sons if there be more than one, of aged, infirm, or widowed parents, and the only brothers of orphan and the fathers of motherless children, in the cases specified in the act.

Third. Two persons from every family and household of father and sons, from which two persons have already been supplied to the military service of the United States.

The distinction between the classes of places to be supplied, and of places not to be supplied, should be clearly and fully understood, and

then if the draft is fairly made the wrong of over-enrollment will be substantially remedied. If the enrolled names are all put in the wheel and fairly drawn, the number of names drawn of those who were liable to enrollment in the district and of those who were not will bear about the same proportion to the total number of the names of each class put in the wheel. There is never such a result as the drawing of a material disproportion of any particular class if a draft is fair. Persons in the same family or business may be drawn, as adjoining numbers may be in a lottery, because the rule of chance requires such instances. No one ever knew, however, in a draft of figures or of letters, that those drawn were all from the greater or all from the lesser numbers, or all from the first or all from the last half of the alphabet. So in a draft of names, those drawn will be, in respect to all divisions, in a proportion about the same as that of the numbers of the same classes subjected to the draft.

It is of primary importance, therefore, that the names should be fairly drawn. In the drawing in the Ninth District, which is in the city of New York, so far as the list was published, there was a great disproportion of the names of people of a particular lineage, although only one-fourth of the inhabitants of the district were born in Ireland. I called the attention of the President to this fact, and suggested to him that such a result could not be continued throughout the city without being followed by a belief in the public mind that the draft had been unfairly made. He answered, "Of course not," and added, with an earnestness I was glad to observe, "I will not permit either a real or an apparent fraud."

The following regulations for drawing the names will prevent any possibility of fraud:

First. Print the enrollment list of each ward and town, in order that the public may know what names are to be put in the wheel. As the lists are made out in the alphabetical order of the initial letters of the surname, the only trouble or delay will be in the printing.

Second. Have the drawing made by a person to be selected by the local authorities, and each name as drawn read aloud and recorded.

Third. After the draft for conscripts is concluded, continue the drawing until all of the names are drawn, in order to prove that all were in the wheel.

Fourth. If the drawing of a town or ward is not finished at one session, confide the wheel during the recess to the joint custody of the provost-marshal and some one to be selected by the local authorities.

These regulations are easy and sufficient. They are in the spirit of Circular No. 41 of the Provost-Marshal-General, though more full and comprehensive. I cannot doubt, especially in view of the assurances of the President, that upon application they will be established.

I have reviewed this matter fully, though at greater length than I expected. A large portion of our people believe that the conscription act is unconstitutional, but such can be reconciled by a decision of the proper court, if it sustains the law; if otherwise, the law must be abandoned. Those, however, who claim that the law is unfairly and unjustly administered can only be satisfied by the adoption of a fair course of proceeding. This I am desirous to secure, and I hope my labors to that end may be beneficial to my fellow-citizens and useful to you in the discharge of your arduous duties.

I remain, very respectfully and truly, yours, &c.,

NELSON J. WATERBURY,
Judge-Advocate-General.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York, August 8, 1863.

His Excellency HORATIO SEYMOUR,
Governor of the State of New York:

SIR: I had the honor to receive on the evening of the 5th instant your letter of 3d, in reply to mine of the 30th ultimo, informing me that you had made a communication to the President of the United States in relation to the draft in this State, and expressing your belief that his answer would relieve you and me from the "painful questions growing out of an armed enforcement of the conscription act," &c.

Your Excellency promises to write me again on the subject when you shall have received the President's answer. It will afford me great pleasure to hear from you and to receive an affirmative answer to the inquiry contained in my letter, but I owe it to my position as commander of this military department to anticipate his reply by some suggestions arising out of your answer to me.

You are no doubt aware that the draft has been nearly completed in the nine western districts, and that it also has been completed in several districts and is in successful progress in others in the central part of the State, under the orders of the Provost-Marshal-General.

It is my duty now as commanding officer of the troops in the service of the United States in the department, if called on by the enrolling officers, to aid them in resisting forcible opposition to the execution of the law, and it was from an earnest desire to avoid the necessity of employing for the purpose any of my forces, which have been placed here to garrison the forts and protect the public property, that I wished to see the draft enforced by the military power of the State in case of an armed and organized resistance to it. But holding such resistance to the paramount law of Congress to be disorganizing and revolutionary, leading, unless effectually suppressed, to the overthrow of the Government itself, to the success of the insurgents in the seceded States, and to universal anarchy, I designed, if your co-operation could not be relied on, to ask the General Government for a force which should be adequate to insure the execution of the law and to meet any emergency growing out of it.

The act under which the draft is in progress was, as Your Excellency is aware, passed to meet the difficulty of keeping up the Army through the system of volunteering to the standard of force deemed necessary to suppress the insurrection. The service of every man capable of bearing arms is, in all countries, those especially in which power is responsible to the people, due to the Government when its existence is in peril. This service is the price of the protection which he receives and of the safeguards with which the law surrounds him in the enjoyment of his property and life.

The act authorizing the draft is entitled "An act for enrolling and calling out the national forces." I regret that Your Excellency should have characterized it as "the conscription act," a phrase borrowed from a foreign system of enrollment, with odious features from which ours is wholly free, and originally applied to the law in question by those who desired to bring it into reproach and defeat its execution. I impute to Your Excellency no such purpose. On the contrary, I assume it to have been altogether inadvertent, but I regret it because there is danger that, in thus designating it, and deprecating "an armed enforcement" of it, you may be understood to regard it as an obnoxious law which ought not to be carried into execution, thus

throwing the influence of your high position against the Government in a conflict for its existence.

The call which has been made for service is for one-fifth part of the arms-bearing population between twenty and thirty-five years of age, and of the unmarried between thirty-five and forty-five.

The insurgent authorities at Richmond have not only called into service heretofore the entire class between eighteen and thirty-five, but are now extending the enrollment to classes more advanced in age. The burden which the loyal States are called on to sustain is not, in proportion to population, one-tenth part as onerous as that which has been assumed by the seceded States. Shall not we, if necessary, be ready to do as much for the preservation of our political institutions as they are doing to overthrow and destroy them—as much for the cause of stable government as they for the cause of treason and for the disorganization of society on this continent? I say the disorganization of society, for no man of reflection can doubt where secession would end if a Southern Confederacy should be successfully established. I cannot doubt that the people of this patriotic State, which you justly say has done so much for the country during the existing war, will respond to the call now made upon them. The alacrity and enthusiasm with which they have repeatedly rushed to arms for the support of the Government, and the defense of the national flag from insult or degradation, have exalted the character and given new vigor to the moral power of the State, and will inspire our descendants with magnanimous resolutions for generations to come. This example of fidelity to all that is honorable and elevated in public duty must not be tarnished. The recent riots in this city, coupled as they were with the most atrocious and revolting crimes, have cast a shadow over it for the moment.

But the promptitude with which the majesty of the law was vindicated and the fearlessness with which a high judicial functionary is pronouncing judgment upon the guilty, have done and are doing much to efface what under a different course of action might have been an indelible stain upon the reputation of the city. It remains only for the people to vindicate themselves from reproach in the eyes of the country and the world, by a cheerful acquiescence in the law. That it has defects, is generally conceded; that it will involve cases of personal hardship, is not disputed.

War, when waged for self-defense, for the maintenance of great principles and for the national life is not exempt from the sufferings inseparable from all conflicts which are decided by the shock of armies; and it is by our firmness and our patriotism in meeting all the calls of the country upon us that we achieve the victory and prove ourselves worthy of it and the cause in which we toil and suffer.

Whatever defects the act authorizing the enrollment and draft may have, it is the law of the land, framed in good faith by the representatives of the people, and it must be presumed to be consistent with the provisions of the Constitution until pronounced in conflict with them by competent judicial tribunals.

Those, therefore, who array themselves against it, are obnoxious to far severer censure than the ambitious or misguided men who are striving to subvert the Government, for the latter are acting by color of sanction under legislatures and conventions of the people in the States they represent. Among us, resistance to the law by those who claim and enjoy the protection of the Government has no semblance of justification, and becomes the very blackest of political crimes, not

only because it is revolt against the constituted authorities of the country, but because it would be practically striking a blow for treason, and arousing to new efforts and new crimes those who are staggering to their fall under the resistless power of our recent victories.

In conclusion, I renew the expression of my anxiety to be assured by Your Excellency, at the earliest day practicable, that the military power of the State will, in case of need, be employed to enforce the draft. I desire to receive the assurance because, under a mixed system of government like ours, it is best that resistance to the law should be put down by the authority of the State in which it occurs. I desire it also because I shall otherwise deem it my duty to call on the General Government for a force which shall not only be adequate to insure the execution of the law, but which shall enable me to carry out such decisive measures as shall leave their impress upon the mind of the country for years to come.

I have the honor to be, very respectfully, yours,

JOHN A. DIX,
Major-General.

HEADQUARTERS DEPARTMENT OF THE SUSQUEHANNA,
August 8, 1863.

Maj. Gen. H. W. HALLECK,
War Department:

GENERAL: I wrote yesterday that Governor Curtin would for the present let me retain in the service seven regiments (militia). He now asks for the discharge of all. Have notified him they would be turned over on his requisition, but he must bear the responsibility if Pottsville and mines were destroyed.

Under the protection of the militia the enrollment was completed in some of the worst districts in Schuylkill. I will write more fully.

Mail reaches Washington Tuesday morning.

D. N. COUCH,
Major-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, August 8, 1863.

GOVERNOR OF WISCONSIN,
Madison, Wis.:

Department will accept from your State additional volunteers, infantry and cavalry, for three years or war, on condition that not more than one regiment of infantry and one of cavalry shall be under recruitment at one time. Organizations, recruitment, and musters to conform to existing regulations.

J. B. FRY,
Provost-Marshal-General.

CIRCULAR No. 67. WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, D. C., August 9, 1863.

The following opinion of Col. Joseph Holt, Judge-Advocate-General, with regard to men who have been drafted, and who were abroad

or at sea at time of draft, is published for the information and guidance of officers of this Bureau, viz:

The class of persons referred to, if deserters according to the letter of the statute, are not so according to its spirit, and should not be so treated by the Government. The drafted men who are declared to be deserters for having failed to report themselves for duty are those who have had actual personal notice, or constructive notice, from leaving a summons at their last place of residence that they have been drafted, and that their attendance at the place of rendezvous named is required. It is assumed that the constructive notice has reached the parties, and hence they are denounced as deserters for not obeying it. Desertion involves a criminal intent, and a man cannot, in the sense of the law, or with any propriety of language, be held to have deserted a service when he did not know he belonged to it—to have neglected a duty when he had no means of knowing that it had been imposed upon him. The law would stultify itself were it to declare otherwise. Ignorance of the law excuses no man, but ignorance of facts always does. The law obliges no man to do an impossible thing, nor can it on any principle hold him responsible for not having done it. When, therefore, a drafted man is abroad or at sea, or otherwise placed in such circumstances as to render it physically impossible for him to have had knowledge of the draft, and of his duty under it, he should not be advertised or treated as a deserter. Such a step would be cruel, and would shock that sense of public justice which all entertain. If such persons do not, without delay, report themselves for duty after receiving information that they have been drafted they should be arrested as deserters. It will be for the Secretary of War to determine how long the public interests will permit the Government to wait for the return of this class of persons. Unquestionably the drafted men who do not within a reasonable time return to the country, so as to enter the service, should not be accepted as a part of the quota of troops due from the State to which they belong.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 68. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., August 9, 1863.*

The following interpretation of the second and third clauses of section 2 of the enrollment act is published for the information and guidance of officers of this Bureau, viz:

Second. "The only son liable to military duty of a widow dependent upon his labor for support."

The term "only son" commonly means that there is but one son; hence the expression "only son liable to military duty" means one son liable to military duty, where other sons, if any, are not thus liable. Thus, to make a good claim for exemption under this clause, it must be established, first, that the person drafted is the only son liable to military duty of a widow; and second, that the widow is dependent for support upon this particular son.

The widow may have any number of sons not liable to military duty as minors, over age, or otherwise; but if she have one son who is liable, and she is actually dependent upon that son, he is exempt.

Third. "The only son of aged or infirm parents dependent upon his labor for support."

This clause carries the same meaning of the word "only," making it synonymous with one. The same construction will be placed upon this as upon the second clause of this section.

To obtain exemption under this clause it will, therefore, be necessary to establish, first, that the aged or infirm parents have but one son liable to military duty; and second, that they are dependent upon this particular son for support.

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, August 9, 1863.

Major-General DIX,
Headquarters New York City:

You have probably seen the President's answer to Governor Seymour in reference to the draft. Are you prepared for me to issue orders to the provost-marshals to proceed?

J. B. FRY,
Provost-Marshal-General.

NEW YORK, *August 9, 1863.*

Col. JAMES B. FRY:

I have not seen Governor Seymour's letter or the President's answer. The draft is progressing under Majors Diven and Townsend. Some preparations will be necessary here. I will write you by mail.

JOHN A. DIX,
Major-General.

ALBANY, *August 9, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

The draft commenced in Schenectady, Eighteenth District, on Friday, 7th instant. The mayor and sheriff assure me that there will be no difficulty. I thought it wise to be prepared, and in one way and another have secured the presence there of quite a force of troops. I have been obliged to take Captain Van Derlip to command Invalid Corps. Some 500 workmen have abstained from work. The county of Schenectady will be commenced to-morrow. Have finished Saratoga. Will complete draft, if not resisted, by Tuesday morning, 11th.

FREDK. TOWNSEND,
Acting Assistant Provost-Marshal-General.

HEADQUARTERS DEPARTMENT OF THE SUSQUEHANNA,
August 9, 1863.

General G. W. CULLUM:

GENERAL: The General-in-Chief is aware, from my previous communications, that I had used the militia of this State, ninety-days' men, to assist the provost-marshal in enforcing the enrollment.

From a conversation with Governor Curtin, on my return from Pottsville, August 1, I understood that he would retain sufficient regiments for the General Government to carry everything through without serious trouble.

On the 5th instant he informed me as follows, viz:

I wish the militia, all but seven regiments (Philadelphia), paid and discharged. I have offers of regiments to enforce the draft.

On the 8th instant he telegraphed:

I cannot keep any of the regiments in service if they demand their discharge. My time is occupied by visits of citizens on this subject, and as they were not enlisted or mustered for the service they are in I have no power to hold them. Had you not better communicate with the Secretary of War, and if troops are required I will raise them at once.

I ask that the Forty-seventh be sent to Reading to be mustered out immediately.

A. G. CURTIN.

The Forty-seventh was with General Whipple, who was at the time aiding the provost-marshal in completing the enrollment in one of the very worst districts in Schuylkill County.

To this I replied:

CHAMBERSBURG, PA., *August 3, 1863.*

Governor CURTIN,
Harrisburg, Pa.:

You certainly cannot mean for me to withdraw those troops from Pottsville before others can replace them.

In my opinion you subject every coal mine there to the risk of being destroyed. Order off these, you may have Pottsville laid in ashes and a thousand barbarities committed before the General Government can assemble forces to protect her rights and your people.

If you demand it, every militiaman shall be turned over to you; but the responsibility must rest upon yourself. I trust you will give this your most careful deliberation.

D. N. COUCH,
Major-General.

In reply the following was received:

HARRISBURG, PA., *August 3, 1863.*

Major-General COUCH:

I do not believe you can hold the militia, and the Government should provide troops, or ask me to enlist militia for the purpose of enforcing the draft. I am sustaining a pressure which is unfair, and no explanation I can make now will satisfy the men. If I had known the regiments were required, I might have induced them to go. Besides, I have no money to pay them for their services. As the authorities in Washington will not communicate with me, will you not immediately present the subject for their consideration?

A. G. CURTIN.

On the 1st instant I understood there would be enough regiments at my command to sustain the laws.

On the 5th, all but seven were to be mustered out.

On the 8th, it is intimated all are to be discharged.

No communication has gone from me to the War Department in reference to enlisting militia to enforce the draft, as the Governor suggests, for the reason that it seemed too repugnant a measure to be adopted. I believed that the Governor and myself, acting in unison, could retain enough of the ninety-days' troops to accomplish all that was desired.

The above correspondence, &c., is submitted in order that War Office may know what I have done in this matter, and of my prospects in furnishing assistance to the provost-marshal in future.

With a show of troops in the mining regions there is every belief that the draft could be successfully put through. But if the force now there is weakened before the conscripts are taken from their homes there will be trouble enough.

I am in hopes that the Governor will pause before he gives the order to discharge all of his militia.

I am, sir, very respectfully, your obedient servant,

D. N. COUCH,
Major-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 10, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: The letter dated August 3, from His Excellency Governor Seymour to His Excellency the President of the United States, relating

mainly to the operations of the Bureau of the War Department under my charge, induces me to submit the following facts:

The execution of the act enrolling and calling out the national forces may be said to have commenced in New York on the 25th day of April. On that day an officer of the Army was assigned to duty as acting assistant provost-marshal-general, with instructions to acquaint himself with the views and wishes of His Excellency Governor Seymour, and give them due weight in determining as to the best interests of the General Government; to use all proper means to gain and retain the confidence and good will of the Governor and his State officers, and secure for the execution of the enrollment act the aid and hearty co-operation of His Excellency the Governor, and of the civil officers in his State, as also the people. A letter was addressed by me to Governor Seymour on the same day informing him that, with a view to uniform and harmonious execution of the enrollment act, it had been deemed best to assign an officer of this department to duty at the capital of New York; that this officer was instructed to confer with him (the Governor) to superintend the operations of the provost-marshals and boards of enrollment in the several districts of the State; to secure from the provost-marshals and boards and submit to the State Executive such rolls and reports as might be deemed necessary for the files of the State, and to prepare from the State records and transmit to the provost-marshals and boards of enrollment such information, placed at his disposal by the State authorities, as might be necessary or useful to them in the performance of the duties assigned them. In accordance with the foregoing Major Townsend was assigned at Albany, and with similar letter and for a like purpose Colonel Nugent was assigned to the first nine districts, and Major Diven to the districts numbered from 22 to 31, inclusive, and I said in the letter to the Governor: "The War Department will be pleased if Your Excellency will communicate freely with them (the officers named) and secure as far as possible for all the officers appointed under the enrollment act the co-operation of the civil officers of your State." Such were the steps taken to acquaint the Governor with the action and intention of the General Government in entering upon the execution of the enrollment act.

In relation to the enrollment, which is said by His Excellency to have been unfairly made, I would remark, the enrolling officers were sworn to execute faithfully, and without partiality, favor, or affection, the duties of their offices, and all possible precaution was taken against the employment of incompetent or dishonest persons.

The enrollment commenced in New York in the latter part of May; it was carried through to completion without any serious resistance, and nothing was brought to my knowledge indicating inefficiency or unfairness in it.

It was to be expected, in the nature of things in the city of New York, that the names of many persons would be entered more than once on the enrollment lists. The method of conducting the enrollment and the measures taken to correct errors can be best understood by taking as an example the following report of Captain Erhardt, provost-marshal of the Fourth District, the one about which most complaint has been made. Captain Erhardt says:

I have the honor to state that there have been enrolled in my district, of class 1, 54,372, and of the second class, 23,405, making a total of names enrolled, 77,777. From these were taken those who actually lived in this district, and those alone

were borne upon the consolidated lists sent to the Provost-Marshal-General, viz, of the first class, 30,844, and of the second class, 11,148, a total of 41,992, with this exception, that those who were not known to live in any other district by their own refusal to give their residence, doing business in this, were presumed to live in this, and were put on the consolidated lists accordingly. These names were in the proportion of perhaps one to fifty, so that perhaps 800 may be on the consolidated lists as subject to draft here who may show, in case of their being drafted, that they reside in another district and are not liable. This list, with the deduction of those who reside here, would leave 35,785 enrolled here not borne upon the consolidated lists of this district.

The enrollment of the district was made by an enrolling officer for each election district, who reported at the headquarters of the district each day with the filled sheets, which were then given in and an account kept of the amount of sheets (filled) each enrolling officer brought in.

The enrollment was completed on the 29th day of June, and the number of names returned to this office amounted to 54,872 of class 1, and 23,405 of class 2; total number, 77,777.

The consolidation was made by first making an alphabetical list of each ward; the names were carefully revised and the residence of every person within the ages named in the act residing in this district marked for the ward of the district in which he resided; they were then transferred to another copy, care being taken to gather all who resided in the ward, copying from other wards. On the completion of that copy the lists were again revised for the purpose of ascertaining duplicates, in this manner, by taking the first name of each letter and going through all the rest of the letter to ascertain that that name was down but once, then taking the second name and again going through those remaining until the whole had undergone a careful and actual scrutiny; and in the same manner with class 2. This was the work of many days and nights, yet it resulted in a correct list. When a doubt arose as to whether the party under search was a duplicate, an enrolling officer was sent to the residence of such party to ascertain whether such name was a duplicate or not.

Upon the completion of that copy another copy was made and all errors stricken from and transfers made, should any be found in it. After a careful revision of that copy the final copy was made for the Department, and from that the cards prepared for the draft and carefully compared with the list and verified by actual count.

The foregoing shows the efforts made to secure a complete and fair enrollment. In these efforts and in the performance of all their duties I claim for Captain Erhardt and the Board over which he presides honesty, efficiency, and industry.

This district is taken as a sample because it is the one the enrollment of which has been most objected to.

The adjutant-general of New York, in his report for 1862, states that the enrollment by the State (General Anthon's) in New York and Kings Counties was eminently successful, and he considers the number returned substantially correct. Taking the Fourth District, we find the State enrollment gave a total of 38,324. The present enrollment gives a total of 41,625, an excess of 3,301 on the State enrollment; not a great difference. The following facts connected with the two enrollments should be noted, viz: The State enrollment did not include clergymen, colored men, and others included in the U. S. enrollment, but it did include persons between eighteen and twenty.

The U. S. enrollment does not take persons between eighteen and twenty but includes colored men, and to prevent delay on the part of the enrolling officers and to avoid intrusting to them the decision of important questions of exemption, they were not permitted to decide questions of physical disability, &c., and hence they entered many who were omitted on the State lists. The two enrollments in the disputed Fourth District may therefore be said essentially to agree.

The enrollment is a question of fact, and there is no pertinency in reasoning that it is incorrect because it differs from the census of 1860,

or the vote of 1862, two things which are no more likely in themselves to be correct than the enrollment, and by which, if they were correct, the enrollment could not be judged on account of the different times at which they were made and the fact that the elements of which they are composed are not the same.

On the 28th of July I informed Governor Seymour that no given number had been fixed as the quota of men to be drafted from the United States or any particular State. The rule is to take one-fifth of the enrolled men of the first class in each and every Congressional district as the quota for that district, without regard to other districts of the State or to other States, and that if drafted men should be found to have been improperly enrolled they would be discharged and their places would not be filled from the district.

In assigning quotas to districts of States, which States have heretofore furnished an excess of troops, the said excess is distributed pro rata among the districts and deducted from their quota.

The orders for draft in the city of New York were issued from this office on 1st of July. Governor Seymour, who had been requested by my letter of April 25 to co-operate in carrying out the law, was on the 1st of July informed by my letter that the draft was ordered in the districts named, and was requested to aid in securing the execution of the order. He has subsequently been duly informed of all orders issued for draft in the different districts of his State and his assistance solicited.

The draft did not commence in New York City until the 11th of July—eleven days from the day my letter was mailed notifying the Governor that it was ordered. I heard nothing from him during this interval in relation to the draft, nor in fact at any other time previous to the mob violence in the city of New York; nor did he to my knowledge express any objection to the enrollment act or to the operations of the officers of my Bureau in making the enrollment in his State. If he had done so his views would have been duly considered, and any apparent or real error or unfairness which he might have pointed out would have received instant investigation.

The official records in the Adjutant-General's Office show that the State of New York up to the 11th of June, the date to which they were made up, previous to arranging the quotas for draft, had furnished an excess of 4,695 men. This was credited in making up the quotas.

This excess does not agree with that claimed for the State by the adjutant-general of New York. The full and exact tabular statements, however, of every regiment, battery, and recruit mustered into the U. S. service, as shown by the rolls in the office of the Adjutant-General of the Army, was some time since shown to the adjutant-general of New York and he was invited to examine them and point out any error or omission, if such could be found, and was assured that due correction would be made if cause for it was found to exist. No cause has yet been shown.

Exhibit in reference to New York Troops (volunteers).

Dr.			Cr.		
Number claimed by the State as per exhibit of June 1, from the State adjutant-general, exclusive of recruits.	179,027	179,027	Number of volunteers credited to include June 11, 1863, as per Exhibit A herewith, inclusive of recruits furnished regiments in the field.	182,545	182,545
Credit given by the United States to the State in excess of that claimed by the State.	3,518		Number of recruits credited as per Exhibit A.	17,486	17,486
	182,545		Number of recruits credited as per Exhibit B.	1,208	1,208
Number of recruits claimed by the State as per State adjutant-general's exhibit of June 1.	31,000	31,000	Number of recruits claimed by State and which have not been credited by United States.	12,311	
Number of volunteers claimed by State as furnished since the statement of June 1, and to include July 10.	2,012	2,012		31,000	
			Number of volunteers credited since making up Exhibit A, of June 11, and to include the present date.	1,288	1,288
			Number of volunteers claimed by State and furnished since June 1, and not credited by the United States.	724	
				2,012	
			Difference		9,517
		212,039			212,039

The United States have credited the State with 2,794 more volunteers (as supplied by regiments and companies) than is claimed to have been furnished. This credit was given before the Department knew the number which the State claimed as having furnished.

The State claims to have furnished 12,311 more recruits for regiments in the field, "old organizations," than the United States have given credit for. It is therefore seen that the number in dispute is made up of recruits for old regiments.

The difference between 12,311 and 2,794 is 9,517. This is the number for which the State claims to have received no credit.

In making up the statements or exhibits the numbers were taken from the muster-in rolls of regiments, companies, and detachments, as filed by the duly appointed U. S. mustering officers for the State. Where, as in some few instances, no muster-in rolls of regiments were filed, the numbers were taken from the first muster and pay rolls of the organization.

It will be seen by a letter to the Governor of date June 2 that the Department contemplated a comparison of the State records of men furnished with those of this office. In answer to that letter the adjutant-general of the State, under date of July 9, furnished a statement, from which the numbers herein referred to, as claimed by the State, have been taken.

As the present records of the Department will not allow a credit to be given for the disputed number (9,517) of recruits, it remains for the State to show, by the muster-in rolls thereof, that she is entitled to said credit. As the statement from the adjutant-general of the State does not exhibit in detail the data upon which the claim for the disputed recruits rests, it will devolve on a special comparison of the State with the U. S. records to show that the State is justly entitled to the credit therefor.

It is proper to add that the adjutant-general of New York, in the recapitulation of troops furnished in 1861, remarks, "Recruits for regiments in the field estimated at 11,000."

In the report of the Adjutant-General for 1863 it is stated that the recruits sent to old regiments since the date of the last report (January 15, 1862) will not fall below 20,000.

It will be seen that in relation to the recruits claimed to have been furnished in 1861 and 1862, the adjutant-general of the State has estimated them and not made his claim on actual data.

In relation to this subject the adjutant-general of New York in his official report for 1862 says:

> In addition to the regiments which have been raised in this State under the several requisitions from the Government, a large number of recruits have been drawn from our population for regiments in service. Of the number of these this department has no positive knowledge.

It will thus be seen that from actual data the War Department credited the State of New York with 3,518 more men belonging to regiments and batteries than the State claimed or knew she had in service, and the claim of the State for an additional excess is one based upon an estimated number of recruits furnished and of which number the State adjutant-general's report for 1862 shows that department had no positive knowledge. There is nothing on file in the War Department to show "that New York and Brooklyn have furnished more than their proportion" of the troops from the State of New York.

In relation to the "abandonment of voluntary enlistment for a forced conscription" proving unfortunate as a policy, I would remark that the conscription does not prevent voluntary enlistments, but on the contrary it decidedly stimulates them. The voluntary enlistments have of late afforded but few men, as is shown by the following statement:

Exhibit showing state of the recruiting service in the State of New York of old and new organizations since January 1, 1863. Organizations mustered into the U. S. service as per statement of July 9 from the adjutant-general New York.

Numerical designation.	Arm of service.	Number of companies.	Strength.	Remarks.
12th	Cavalry	6	587	Commenced organising in September, 1862.
13th	do	6	502	Commenced organising in November, 1862.
14th	do	10	856	Commenced organising in September, 1862.
16th	do	4	335	Commenced organising in January, 1863.
11th	Artillery	4	576	Commenced organising in February, 1863.
3 regiments	Infantry	30	2,648	Nine months.
1 company	do	1	86	Do.
178th	do	6	414	
Total			6,004	
Recruits for regiments in the field, as shown by records of War Department.			1,918	
			7,922	

It is thus seen that the cavalry and artillery organizations, favorite arms of service, have been a long time organizing and are yet incomplete. For the new organizations cited our returns show 4,604 mustered in. The muster-in rolls of the One hundred and seventy-eighth New York Volunteers have not yet been received.

The volunteer recruiting service has been no better since the 1st of January in the other States, and in many of them it is much worse. I do not deem it necessary to produce other facts in relation to the volunteer recruiting service or to comment on those presented above, except to say that they show the necessity of another mode of raising troops.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL'S OFFICE,
Terre Haute, August 10, 1863.

Col. CONRAD BAKER,
Acting Assistant Provost-Marshal-General:

SIR: The active movements of the anti-war men in this district have recently caused me to institute inquiry as to their designs, and while I cannot say that I actually believe that they are getting ready to resist the draft, yet there are many circumstances which point strongly in that direction. They hold meetings nearly every day, and the burthen of all their speeches, as reported to me, is denunciation of the conscription laws, &c. In private they swear they will resist, and their orators all unite in counseling them to arm themselves to "defend their rights." They are making extraordinary exertions to procure arms, and an effort was made here to-day to buy fifty sabers and a number of guns by persons belonging to them. Now, it seems to me that something ought to be done to arrest this state of things. Of course I cannot suggest what is best, but I hope you will bring it to the notice of General Willcox, and let him apply the remedy. Would it not be well to suspend the sale of arms entirely until after the draft? It strikes me that it would. At all events, there should be a man assigned especially to the duty of examining all the freight shipped from Indianapolis to see that no arms are sent. They can purchase them there or at Cincinnati. You recollect that I called your attention to some guns purchased a week or so ago for Parke County. I looked out for them and had several detectives at work, yet I understand they got them, and of course they were shipped at Indianapolis. Please call the attention of General W[illcox] to the matter, for it is important. These men must mean something, and the last few days have developed matters which cause me to suspect them very much.

I have the honor to be, &c.,

R. W. THOMPSON,
Provost-Marshal.

[First Indorsement.]

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Indianapolis, Ind., August 11, 1863.

The within copy of a letter just received from Capt. R. W. Thompson, provost-marshal, Seventh Indiana District. I am receiving similar information from other points in the State. Large quantities of arms and ammunition have, beyond all question, been purchased and distributed, and appearances indicate an intention to resist.

CONRAD BAKER,
Colonel and Actg. Asst. Prov. Mar. Gen. for Indiana.

[Second indorsement.]

Send copy of this, with Colonel Baker's indorsement, to General Burnside and ask his attention to the matter of sale of arms.

J. B. F.

[Third indorsement.]

Copy sent August 20, 1863, to Major-General Burnside.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, August 10, 1863.

JOHN W. FINNELL,
Adjutant-General of Kentucky, Frankfort, Ky.:

The draft will take place in Kentucky as soon as the enrollment is completed.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 10, 1863.

Maj. OSCAR A. MACK,
A. D. C., Actg. Asst. Prov. Mar. Gen., Concord, N. H.:

MAJOR: Constant reports are made to this office, and very frequently from persons of standing throughout the country, that great numbers of drafted men are being exempted by boards of enrollment without sufficient cause under the law.

You will at once examine into this subject in the districts under your charge, and you will report to this office whether the boards of enrollment conform to the law and regulations in the matter of exemptions; whether their decisions are marked by partiality or favoritism; whether they exempt too freely; whether the surgeons of the boards are competent to the performance of their duties; whether they execute the same faithfully and conscientiously, and whether any modifications of the present regulations are necessary to protect the interests of the Government from improper discharges from liability under the enrollment act.

You will please see that the surgeon directed to report to you for inspecting duty spends his time with the boards of enrollment in your districts. Instructions have been sent to him to report the result of his inspections in each district at the conclusion of his labors therein.

You will please see that those instructions are complied with.

I am, major, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

(Copy of the above letter furnished to each of the following: Brigadier-General Pitcher, Vermont; Captain Silvey, Rhode Island; Major Perkins, Connecticut; Major Townsend, New York; Colonel Nugent, New York.)

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, August 10, 1863.

Maj. A. S. DIVEN,
Actg. Asst. Provost-Marshal-General, Elmira, N. Y.:

Is the draft going on in Onondaga County? It is reported to have been suspended. It must be carried out at once. Please answer.

JAMES B. FRY,
Provost-Marshal-General.

ELMIRA, *August 10, 1863.*

Col. JAMES B. FRY:

The draft has not been suspended in Onondaga County. I directed it to commence on the 2d instant and again on the 5th. It has not commenced as yet. What the provost-marshal of the Twenty-third District means I cannot tell.

A. S. DIVEN,
Acting Assistant Provost-Marshal-General.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, August 10, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: You no doubt hear regularly from Majors Diven and Townsend and know all they are doing. In the districts under the superintendence of the former the draft is expected to be completed by the middle of this week. Major Townsend is going on with his districts. He was apprehensive that there would be difficulty at Oswego, and I sent a small body of troops there. Everything passed off well. He requested permission to take the same troops to Oneida the next day, and it was granted. Hearing nothing from him, I presume the draft was completed there without opposition. On Saturday there was a prospect of disturbance at Schenectady, and I sent 200 men there. I learn there was no resistance. In the river districts troops will be needed, and I have not enough to spare for more than one at a time.

In the Albany and Ulster districts I think artillery as well as infantry will be needed, and the draft must be a few days apart.

In this city there must be some preparation. With 800,000 people there are many villains, and beside the secession and anti-draft interests, the plunderers will try to create confusion. I am now concerting a system of preparation which I hope will prevent disturbance. I have asked the Governor whether I can rely on his co-operation with the military power of the State. He has not answered.

The President's letter to him, which I have seen this morning, is admirable, and I do not see how he can avoid giving an affirmative answer to my inquiry.

I think the city districts should be the last to be drafted, and that the further delay need not be great. I will communicate with the War Department in a few days.

I am, respectfully, yours,

JOHN A. DIX,
Major-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, August 10, 1863.

Lieut. Col. JAMES V. BOMFORD,
Actg. Asst. Provost-Marshal-General, Harrisburg, Pa.:

Why do you not go on drafting in the other districts for which you have received the orders?

JAMES B. FRY,
Provost-Marshal-General.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL
FOR STATE OF PENNSYLVANIA,
Harrisburg, August 10, 1863.

Col. J. B. FRY, U. S. Army,
Provost-Marshal-General, Washington, D. C.:

The Eighth, Fifteenth, and Seventeenth Districts have postponed the draft on account of mistakes in the quotas. The orders for draft have been or will be returned for correction. The other districts are drawing or preparing for the draft. Although frequently ordered, they do not make punctually the daily report of condition and progress.

J. V. BOMFORD,
Lieut. Col. 16th U. S. Infty., A. A. P. M. G. for Pennsylvania.

EXECUTIVE MANSION,
Washington, August 11, 1863.

His Excellency HORATIO SEYMOUR,
Governor of New York:

Yours of the 8th, with Judge-Advocate-General Waterbury's report, was received to-day. Asking you to remember that I consider time as being very important, both to the general cause of the country and to the soldiers already in the field, I beg to remind you that I waited, at your request, from the 1st till the 6th instant to receive your communication dated the 3d. In view of its great length and the known time and apparent care taken in its preparation, I did not doubt that it contained your full case as you desired to present it. It contained figures for twelve districts, omitting the other nineteen, as I supposed, because you found nothing to complain of as to them. I answered accordingly. In doing so I laid down the principle to which I purpose adhering, which is to proceed with the draft, at the same time employing infallible means to avoid any great wrongs. With the communication received to-day you send figures for twenty-eight districts, including the twelve sent before, and still omitting three, from which I suppose the enrollments are not yet received. In looking over the fuller list of twenty-eight districts I find that the quotas for sixteen of them are above 2,000 and below 2,700, while of the rest six are above 2,700 and six are below 2,000. Applying the principle to these new facts, the Fifth and Seventh Districts must be added to the four in which the quotas have already been reduced to 2,200 for the first draft, and with these four others must be added to those to be re-enrolled. The corrected case will then stand: The quotas of the Second, Fourth, Fifth, Sixth, Seventh, and Eighth Districts fixed at 2,200 for the first draft. The Provost-Marshal-General informs

me that the drawing is already completed in the Sixteenth, Seventeenth, Eighteenth, Twenty-second, Twenty-fourth, Twenty-sixth, Twenty-Seventh, Twenty-eighth, Twenty-ninth, and Thirtieth Districts. In the others, except the three outstanding, the drawing will be made upon the quotas as now fixed. After the first draft the Second, Fourth, Fifth, Sixth, Seventh, Eighth, Sixteenth, Seventeenth, Twenty-first, Twenty-fifth, Twenty-ninth, and Thirty-first Districts will be re-enrolled for the purpose and in the manner stated in my letter of the 7th instant. The same principle will be applied to the now outstanding districts when they shall come in. No part of my former letter is repudiated by reason of not being restated in this, or for any other cause.

Your obedient servant,

A. LINCOLN.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, August 11, 1863.

Governor SEYMOUR,
Albany, N. Y.:

The Adjutant-General of the Army informs me that in making up the statements of men furnished no State has been allowed for seamen or for soldiers in the Regular Army.

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, August 11, 1863.

Major-General DIX,
Commanding, New York City:

Your letter of 10th received. Secretary of War does not wish the draft in New York City delayed. I am prepared to send out the orders for draft made up in accordance with the President's letter. After the orders are received by provost-marshals it takes several days for them to give notice and get ready. If I send the orders to-morrow, can't you be ready by the time they are, and let the draft begin in one city district, say next Monday?

JAMES B. FRY,
Provost-Marshal-General.

ELMIRA, N. Y., *August 11, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: On the other page find copy of letter to Governor Seymour.*

I would like to have it shown the Secretary of War and the President.

I have the honor, &c.,

A. S. DIVEN.

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*See August 6, p. 634.

PROVOST-MARSHAL-GENERAL'S OFFICE,
BUREAU OF INVALID CORPS,
Washington, D. C., August 12, 1863.

GENERAL REGULATIONS FOR THE RECRUITING SERVICE AND ORGANIZATION OF THE INVALID CORPS.

(Compiled from the various orders and circulars issued from this office.)

1. The recruiting service in the various States for the Invalid Corps is placed under charge of the assistant provost-marshals-general as general superintendents for those States, respectively, who will be governed by the following rules and regulations:

2. The superintendents will establish the rendezvous, and so arrange for the rent, subsistence of recruits, and other expenses that the charges may be reasonable, and that the bills therefor may be certified by the recruiting officers in charge, and presented for payment to the disbursing officers of the State.

3. Superintendents will see that their depots are kept supplied with sufficient clothing for issues to recruits and with the arms, &c., necessary for their instruction and full equipment. They will also furnish the recruiting officers and the district provost-marshals with the blanks, &c., required for the recruiting service.

4. Camps of rendezvous and instruction will be established at or in the vicinity of the stations of the assistant provost-marshals-general of the several States, under charge of officers of the Invalid Corps, or officers temporarily disabled from active service and detailed for this duty.

5. Enlisted men honorably discharged on account of disability desiring to re-enlist in this corps will present themselves to the Board of Enrollment for the district in which they reside, for examination by the surgeon thereof, who shall make a personal examination of them and report the result to the Board of Enrollment (according to the form furnished).

6. The Board shall then consider each case, and if the applicant is found to fulfill the conditions specified below, the Board shall give him a certificate (according to the form furnished) to that effect, viz:

First. That he is unfit for service in the field.

Second. That he is fit for garrison duty, according to rules laid down in General Orders, No. 212, War Department, 1863.

Third. That he is meritorious and deserving.

Fourth. That he was honorably discharged from the service on account of disability.

7. The provost-marshal for the district shall furnish the applicant with a ticket of transportation, by the shortest practicable route, to the nearest acting assistant provost-marshal-general of a State (no matter if it be not in the same State), who shall procure such evidence of service and good character as he may deem sufficient; and if satisfied that it is a meritorious case, and that the man is not intemperate and is deserving, he will enlist him.

8. In case the applicant is rejected for any cause by the acting assistant provost-marshal-general, he will be furnished with a ticket to return to the district whence he came.

9. The term of enlistment in the Invalid Corps shall be for three years. Enlistments shall be made upon printed forms to be furnished for the purpose. They will in all cases be made in duplicate.

10. One copy of each enlistment will be delivered to the disbursing officer, to assist him in the examination and verification of accounts, and will be sent with those accounts, at the end of each quarter, to the Provost-Marshal-General, at Washington; and the other copy will be sent by the superintendent to the Provost-Marshal-General, with a consolidated return of the recruiting parties for the month, on the first day of the succeeding month, or as soon thereafter as practicable.

11. Recruiting officers will send to the superintendents a return of their recruiting parties for each month on the first day of the succeeding month. They will also make tri-monthly reports of the state of the recruiting service to the superintendent, which shall be forwarded to the Provost-Marshal-General.

12. Detachments of recruits will be furnished with at least two days' cooked rations before starting from one depot for another. If delayed in any city en route a detachment will be marched to the "soldiers' rest," where additional cooked rations will be issued to the men sufficient to last till their arrival at the next "rest," or at the destination of the detachment, according to circumstances. Superintendents of the recruiting service for States or district provost-marshals will see that this order is executed.

13. If possible, subsistence will be issued in kind, as required in the regular service. If subsistence cannot be furnished in kind, and board be necessary, it will be furnished at a rate not to exceed 30 cents per diem.

14. Commutation in lieu of rations in kind will not be paid to recruiting parties while at their stations.

15. The officers or non-commissioned officers in charge of detachments en route are responsible that the rations are not wasted; also, that such as are required are obtained at the "rests." Purchases of articles of food on public account are not authorized.

16. The expenditures of "mustering and disbursing officers," in connection with the organization of the "Invalid Corps," are confined to the payment of the proper expenses (transportation, subsistence, &c.) of men enlisting directly in said corps, and prior to enlistment.

17. None of the expenses of men transferred to the Invalid Corps from organizations mustered into U. S. service are payable from the appropriation for "collecting, drilling, and organizing volunteers," but are proper charges against the Quartermaster's, Subsistence, &c., Departments.

18. It is thought that nearly all the expenditures made in this connection from the fund for collecting, drilling, and organizing volunteers will arise under the above paragraphs 5, 6, and 7.

19. All other details will be conducted in the manner prescribed in the regulations for the recruiting service in the Regular Army.

20. The premiums for accepted recruits as laid down in paragraph 1315, General Regulations, will not, however, be allowed in the Invalid Corps service.

21. It being highly important to keep the Invalid Corps as a corps of honor, and of veterans, it is hereby ordered: That all discharged soldiers of good character and not liable to draft, whether discharged from the Regular Army, Marine Corps, or volunteers of this war, or any time previous, may be enlisted in the Invalid Corps, notwithstanding that the disability under which they may have been discharged has disappeared, and notwithstanding that they are over forty-five years of age, provided they are able to do duty in the Invalid Corps.

22. Enlisted men transferred to the Invalid Corps will be transferred in the same rank as they held in the active service, and will only be so transferred to serve their unexpired time. They may be discharged and re-enlisted in the Invalid Corps, if they so prefer, for the purpose of settling up their accounts; but their enlistment will then be for three years, unless sooner discharged.

23. Men who enlist in the Invalid Corps will be enlisted as privates, and will be eligible to promotion as commissioned and non-commissioned officers, according to the General Regulations of the United States Army.

24. Officers of active regiments appointed to the Invalid Corps will send in to the Adjutant-General their resignations of commissions in their former regiments, to date the day previous to date of acceptance of appointment in the Invalid Corps, that their accounts may be properly settled.

25. Only infantry is authorized in the Invalid Corps, and such non-commissioned officers only as the law allows to a company of infantry.

26. Companies will be organized of the minimum strength authorized by law for infantry. A fair proportion of non-commissioned officers, &c., will be assigned or appointed to each company. Invalid officers capable of performing the duty may be temporarily assigned as company officers, who will take immediate charge of the companies. They may afterward be appointed in the Invalid Corps, when the requirements of General Orders, No. 105, are complied with. Each company will, as far as practicable, be formed of men of different States.

27. For present convenience, the companies of each battalion will be numbered from one up, according to the number organized at any one place. The battalions will be numbered 1 and 2, according to the grade of efficiency of the men.

28. Duplicate muster and descriptive rolls (A. G. O., 60 and 61) will be made out, one to be retained by the company commander, and one sent to the Provost-Marshal-General immediately after it has been completed and signed by the officers authorized to organize companies.

29. When these rolls are received at the Provost-Marshal-General's Office, at Washington, a permanent numerical designation will be given to each company, of which notice will be sent to its commanding officer, who will use the new number on all subsequent rolls, returns, &c.

30. If any men are transferred from active regiments and assigned to companies of the Invalid Corps, the rolls must show the company, the regiment, and the State to which such men belong. The heading and indorsement of these rolls will be altered so as to read * * * First (or fourth, or sixteenth) Company, First (or second) Battalion, Invalid Corps organized at ———; but care will be observed to designate the place where the company is organized, as First Company, First Battalion, Invalid Corps, organized at Convalescent Camp, Alexandria, Va.; Fifth Company, Second Battalion, Invalid Corps, organized at Depot Camp at Harrisburg, Pa. These rolls will be signed by the officers making the inspection and assignment, and will be filled up with descriptive lists, clothing account, &c., as far as the records will permit.

31. Men enlisted in or transferred to the Invalid Corps, will be required to perform all duties within the limit of their physical capacity, as laid down in the rules and regulations for that corps, but for the convenience of service they will be selected for two grades of duty. Those who are most efficient or able-bodied, and capable of using the musket, and performing guard duty, light marches, &c., will be

assigned to companies of the First Battalion. Those of the next degree of physical efficiency, to the companies of the Second Battalion. (See General Orders, No. 212, A. G. O., 1863.)

32. The acting assistant provost-marshal-general of a State, or the commander of a depot camp of the Invalid Corps, if a field officer, is authorized to exercise the powers of a regimental commander in all that relates to the appointment of non-commissioned officers and their reduction to the ranks; also in all that relates to the granting or approving of leaves of absence to the officers, or furloughs to enlisted men in the Invalid Corps, according to the general regulations of the United States Army.

33. Applications for leaves of absence to commissioned officers must be approved by the senior officer present with the command, and must be sent through the acting assistant provost-marshal-general of the State, who will state his approval or disapproval in forwarding it to the Provost-Marshal-General.

34. In the case of enlisted men furloughs may be granted to not exceeding 5 per cent. of the command; but none will be granted if any are absent without leave. In all cases the furlough will be signed by the company commander and approved by the commanding officer at the station or post of the company.

35. One copy of the monthly return of companies and one copy of the post return for the Invalid Corps will be furnished to the Adjutant-General and one to the Provost-Marshal-General at Washington.

RICHARD H. RUSH,
Colonel and Assistant in Charge of Invalid Corps Bureau.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 12, 1863.

His Excellency HORATIO SEYMOUR,
Governor of New York, Albany, N. Y.:

SIR: I have the honor to inform you that orders have this day been sent to Boards of Enrollment of the Second, Fourth, Fifth, Sixth, Seventh, and Eighth Districts of the State of New York, directing that a draft be made on those districts for 2,050 men, each, of the first class, in place of the orders sent in the early part of July.

This is in conformity with the letter of August 7, 1863, addressed to you from His Excellency the President of the United States.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

NEW YORK, *August 12, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

I was in consultation last evening with General Canby, the mayor, and police commissioners. We are of opinion that the draft can safely commence in this city on Monday with a sufficient force, but there ought to be 10,000 troops in the city and harbor. General Canby has now 5,000. Governor Seymour's letters have increased the disaffection and multiplied the chances of collision, and there is little doubt that he will do all in his power to defeat the draft short of

forcible resistance to it. I will write the Secretary of War fully by to-day's mail.

JOHN A. DIX,
Major-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 12, 1863.

Major-General DIX,
Commanding, New York City:

I sent to Colonel Nugent to-day orders for draft and directed him to call on you with them. The Secretary of War orders the drawing to commence in the city on Wednesday next, the 19th instant, without fail. A larger force than you have represented as necessary will be at your disposal in New York before that day.

J. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 12, 1863.

Col. ROBERT NUGENT,
Actg. Asst. Provost-Marshal-General, New York City:

I mailed orders for draft to-day. Call in person on General Dix in reference to the matter to-morrow, and again when you receive the order, and let there be no misunderstanding or mistake on your part. The drawing must commence on Wednesday next, the 19th instant, without fail.

J. B. FRY,
Provost-Marshal-General.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, August 12, 1863.

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: I telegraphed the Provost-Marshal-General this morning that there ought to be 10,000 troops in this city and harbor when the draft is resumed, and that with such a force it may be commenced on Monday. This force is the smallest estimated by any one as necessary to hold the forts, provide for the safety of the public property in the city, and overawe resistance to the draft. Although General Canby has 5,000 men, they are very much scattered, and not more than 2,000 would be available for service in the city.

The interests the Government has in the city, independently of the importance of preventing any open opposition to its authority, are too great to be put at hazard by want of adequate preparation, and I am constrained to believe that the whole moral influence of the executive power of the State will be thrown against the execution of the law for enrolling and calling out the national forces, and a case may occur into which the military power of the State will be employed to defeat it. If this case arises, or is like to arise, I shall promptly declare martial law and suspend the civil authority.

In connection with the subject it becomes of the greatest importance to consider the extent of the President's authority over the militia of this city and State.

By the first section of the act of 29th of July, 1861, chapter 25, the President is authorized to call forth the militia of any or all of the States whenever by reason of unlawful obstructions, combinations, &c., it is impracticable in his judgment to enforce the laws, &c. This and section 2 of the same act are substituted for sections 2 and 3 of the act of February 28, 1795, chapter 36.

The Supreme Court of the United States (12 Wheaton, Martin *vs.* Mott) held that "the authority to decide whether the exigency has arisen belongs exclusively to the President and that his decision is conclusive upon all other persons." Though not in order of dates, I begin with this interpretation because it is applicable to all the cases that can arise for the exercise of the President's power under the acts authorizing him to call forth the militia. In view of the difficulties existing here there is another question of pre-eminent importance. Has the President authority to address his orders to particular officers of the militia to call out the troops under their command without a requisition upon the Governor of the State? Or to suppose a case for the exercise of the power, can the President order Major-General Sandford to call out his command to resist unlawful obstructions to the execution of the act for enrolling and calling out the national forces? In the case of Houston *vs.* Moore (5 Wheaton), the Supreme Court of the United States by Justice Washington said, "The President's orders may be given to the Chief Executive Magistrate of the State, or to any militia officer he may think proper." This power is expressly given in the first section of the act in cases of invasion or danger of invasion. The court considered it applicable to the cases of insurrection and obstructions to the execution of the laws. It held that—

> The act of the 2d of May, 1792, which is re-enacted almost verbatim by that of the 28th of February, 1795, authorizes the President of the United States in case of invasion or of imminent danger of invasion, or when it may be necessary for executing the laws of the United States, or to suppress insurrections, to call forth such number of the militia of the States most convenient to the scene of action as he may judge necessary, and to issue his orders for that purpose to such officers of the militia as he shall think proper.

If I find it necessary to declare martial law, I may also find it necessary to ask the President to call General Sandford's division into the service of the United States, and to address the order directly to him. It may be the more important, as intimations have been thrown out by persons officially connected with Governor Seymour, that the militia of the city may be used to protect its citizens against the draft in certain contingencies, and it is quite possible that such a contingency may arise in the progress of judicial proceedings instituted to release individuals from the operation of the act for enrolling and calling out the militia.

That there is a widespread disaffection in this city, and that opposition to the draft has been greatly increased by Governor Seymour's letters, cannot be doubted; and in view of the disastrous effects at home and abroad of a successful resistance to the authority of the United States, I renew the request contained in my dispatch of this morning to Colonel Fry, that 5,000 more troops may be sent here. With this preparation I feel confident that rioters as well as the more dangerous enemies of the public order, those who sympathize with the seceded States, or are so embittered by party prejudice as to lose sight of their duties to the Government and the Union, will be over-

awed, that the draft will be completed without serious disturbance, and the public authority effectually maintained.

I have the honor to be, very respectfully, yours,

JOHN A. DIX,
Major-General.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL
FOR THE STATE OF PENNSYLVANIA,
Harrisburg, Pa., August 12, 1863.

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to inclose herewith for your information, if not already advised by General Whipple of his views, of the present state of affairs at Pottsville.

I have inquired of General Couch, at Chambersburg, if he can furnish re-enforcements, if needed, but have not yet received an answer.

Very respectfully, your obedient servant,

J. V. BOMFORD,
Lieut. Col. 16th U. S. Infty., A. A. P. M. G. for Pennsylvania.

[Inclosure.]

HEADQUARTERS,
Pottsville, Schuylkill County, Pa., August 9, 1863.

Lieut. Col. JAMES V. BOMFORD,
Actg. Asst. Prov. Mar. Gen. for Pa., Harrisburg, Pa.:

I have the honor to acknowledge the receipt of your communication of the 7th instant. In reply I would state that with a respectable display of force at the places of enrollment there need be no apprehensions of positive resistance. And should there be a collision, I think it better that such collision should take place than that the Government should show itself wanting in nerve to execute its own laws. But, as I said before, there need be no collision if a strong force is sent with the enrolling officers. On the contrary, any display of weakness or hesitation would be fatal.

It would not only make the Government a reproach and a byword among these people, but would jeopardize the future tranquillity of this whole region. This is the verdict of almost every supporter of the Government in this county, including the coal operators. Let there by no means be any suspension of the draft here now. If there is any trifling of that kind the troubles here will never cease.

If, on the other hand, the draft be enforced here firmly but judiciously it will go far toward correcting a state of lawlessness which has existed here for the past few years and which has made the name of miner a terror to all law-abiding citizens.

I yesterday rode through Heckscherville with forty dragoons, halted in the town, was surrounded by hundreds of the miners, talked with them a little, and moved on. This is the worst place in the county and it is here I intend to commence enrolling to-morrow.

There should be two more regiments sent here for defensive purposes, if our occupation of the county is for defense. A scheme was put on foot among the miners yesterday to attack the Forty-seventh Pennsylvania Militia encamped at Minersville.

The attacking force was about 3,000 strong. They did not, however, put their scheme into execution, being intimidated by the

opportune arrival of a re-enforcement of a battery of field artillery and four companies of infantry.

I am, colonel, very respectfully, your obedient servant,

WM. D. WHIPPLE,
Brigadier-General of Volunteers.

CIRCULAR No. 70. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., August 13, 1863.*

The following opinion of Col. Joseph Holt, Judge-Advocate-General of the Army, is published for the information and guidance of all officers of this Bureau, viz:

In the case of a father having three sons—one at home, one now in the military service, and one having been killed in it—the son remaining at home is not exempt, unless his father be aged or infirm, and be also dependent on such son's labor for his support.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 71. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, August 13, 1863.*

In forwarding for the decision of the State Department claims for exemption from military service under the draft, on account of alienage, as required by Circular 53, from this office, boards of enrollment shall forward, with the claim for exemption, all the evidence they may be able to secure to controvert the statement made by the claimant, or to show that he has exercised the elective franchise. This to be done with as little delay in each case as possible.

JAMES B. FRY,
Provost-Marshal-General.

SPECIAL ORDERS, No. 359. HEADQUARTERS OF THE ARMY, ADJUTANT-GENERAL'S OFFICE, *Washington, August 13, 1863.*

* * * * * * *

6. Brig. Gen. N. J. Jackson, U. S. Volunteers, is hereby assigned to the command of Riker's Island, New York Harbor.

* * * * * * *

By command of Major-General Halleck:

E. D. TOWNSEND,
Assistant Adjutant-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 13, 1863.

His Excellency JOEL PARKER,
Governor of New Jersey, Trenton, N. J.:

At present the Government does not need any more artillery, and cannot therefore grant your request of yesterday to raise two additional batteries.

J. B. FRY,
Provost-Marshal-General.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Elmira, N. Y., August 13, 1863.

[Col. JAMES B. FRY:]

COLONEL: The draft will commence at Syracuse (Twenty-third) on Wednesday next, at Dunkirk (Thirty-first) on Monday. These are the only districts remaining to be drawn in my division of the State, except Utica (the Twenty-first), which I have just received notice of being added to Western New York.

On the 18th of July by telegraph you instructed me to report by telegraph daily the progress of the draft in the several districts. This was done for awhile, but in my absence was omitted. It was given at a time when great anxiety was exhibited as to whether the draft could be peaceably made, and I presume is not now required.

Your obedient servant,

A. S. DIVEN,
Acting Assistant Provost-Marshal-General.

SPECIAL ORDERS, No. 360. WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, August 13, 1863.

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8. The draft rendezvous at Camp Chase, Columbus, Ohio, will, upon the receipt of this order, be transferred to Camp Cleveland, Cleveland, Ohio, at which place the commanding officer and his staff will take post.

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By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., August 13, 1863.

Maj. GEORGE L. STEARNS,
A. A. G. of Vols., Recruiting Comr. U. S. Colored Troops, Continental Hotel, Philadelphia, Pa.:

SIR: I have the honor to acknowledge the receipt of your communication of the 10th instant,* informing the Department that $50,000 had been placed at your disposal, by contribution, to aid in recruiting colored troops, and asking if the Department has any further instructions or orders to give you. In reply, I am instructed by the Secretary of War to direct you to proceed to headquarters Department of the Cumberland to assist in recruiting and organizing colored troops in that department.

On your arrival you will report in person to Major-General Rosecrans, commanding the department, and by letter to Brig. Gen. L. Thomas, Adjutant-General U. S. Army, now at Vicksburg, Miss., who is charged with the duty of organizing colored troops in the Valley of the Mississippi. You will make frequent reports of your progress, and such instructions as may be necessary will be furnished you by General Thomas, under whose orders you will act. Printed vouchers are being prepared, on which your recruiting agents can be reimbursed for the cost of their transportation when traveling under your

* Omitted.

orders. These vouchers properly filled up and sent to Maj. O. D. Greene, assistant adjutant-general, Mustering and Disbursing Bureau, Provost-Marshal-General's Department, will secure a return to the party of the amount expended.

C. W. FOSTER,
Assistant Adjutant-General.

EXECUTIVE DEPARTMENT,
Concord, N. H., August 14, 1863.

The PRESIDENT OF THE UNITED STATES:

SIR: It would be very gratifying to myself and the citizens of our State if another effort could be made by the Government to relieve the Union citizens of Texas by the reappointment of General Hamilton as brigadier-general and Military Governor, and the organization and departure of a military force for that department sufficient to place the State completely under the control of Union soldiers and citizens. My knowledge of General Hamilton's sufferings and services for the Union cause make me feel very solicitous that on his account, and on account of those he represents, as soon as the military situation will admit, a Texas military expedition may be set on foot and carried to a successful consummation. If any plan can be devised for raising troops specially for that service in New England, I shall cheerfully and earnestly lend it my sympathy and co-operation, and trust that the President will not fail to favor and authorize it without delay as soon as the public service will justify it.

I have the honor to be, very respectfully, your obedient servant,

J. A. GILMORE,
Governor.

WASHINGTON, *August 14, 1863.*

Maj. Gen. JOHN A. DIX,
New York City:

GENERAL: Re-enforcements for New York are ordered to Governor's Island. About 5,000 will leave to-day and to-morrow and more will soon follow. In any new attempt to resist the draft I hope the punishment will be prompt and severe. No blank cartridges.

I would also recommend the formation of Union Home Guards in large numbers. A simple enrollment may be sufficient at present. Arms can be issued to them if circumstances should require them. The difficulty of effecting such organizations after a riot has begun points out the necessity of a previous enrollment and point of rendezvous.

Very respectfully,

H. W. HALLECK,
General-in-Chief.

NEW YORK CITY, N. Y., *August 14, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

Major Townsend reports to me that he has finished the draft in the Twenty-second District, Oswego, and in the Eighteenth, Schenectady, and that it was alone the presence of troops which saved Schenectady

from the disgrace of a bloody riot. It is very desirable that a considerable portion of the troops to come here should arrive by Monday morning. Another battery of artillery is needed. The draft will commence without fail on Wednesday.

JNO. A. DIX,
Major-General.

CHAMBERSBURG, PA., *August 14, 1863.*

Col. J. B. FRY:

Can't you direct that drafted men who are now serving as State militia need not report to district provost-marshal until ten days after their regiment is mustered out of service?

D. N. COUCH,
Major-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 14, 1863.

Maj. Gen. D. N. COUCH,
Comdg. Department of the Susquehanna, Chambersburg, Pa.:

In reply to your telegram, I cannot direct that drafted men serving in State militia need not report.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 14, 1863.

Col. JAMES V. BOMFORD,
Actg. Asst. Provost-Marshal-General, Harrisburg, Pa.:

We are aware of state of affairs, but have no troops to send you. Unless Couch can send you re-enforcements, do not involve yourself further than is justified by your present strength.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., August 14, 1863.

His Excellency JAMES Y. SMITH,
Governor of Rhode Island, Providence, R. I.:

SIR: I am instructed by the Secretary of War to inform you that you are hereby authorized to raise one battalion of artillery, to consist of four companies, to be composed of colored men, to be mustered into the U. S. service for three years or during the war.

To these troops no bounties will be paid.

The organization of the battalion must conform strictly to the requirements of General Orders, No. 110, War Department, 1863, a copy of which is herewith.*

The prescribed number of officers will be appointed in accordance with the provisions of General Orders, No. 143, War Department, 1863, a copy of which is herewith.†

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*See p. 175.

†See p. 215.

To facilitate the appointment of the officers, it is respectfully suggested that it would be well to forward to the War Department as early as practicable the names of such persons as you wish to have examined for appointment.

An officer will be detailed to muster the battalion into service as soon as its organization is completed and the facts reported to the War Department.

It must be distinctly understood that this battalion is not to be a light artillery battalion, and that the artillery company you were authorized to raise by Department letter of the 18th June, 1863, must form a part of this battalion.

The necessary supplies will be issued by the respective departments upon requisitions approved by you.

I have the honor, &c.,

C. W. FOSTER,
Assistant Adjutant-General.

STATE OF MAINE, EXECUTIVE DEPARTMENT,
Augusta, August 15, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

MY DEAR SIR: I wrote you some days since in relation to the position of our towns in relation to certain ones claiming for various reasons that they had furnished more than their quota. I think there would have been no complaint were it not for your letter of the 19th ultimo, intimating that you would correct any surplus that towns may have furnished over their quota—since which there have been many towns claiming, for the natural belief with a large proportion of the towns is that they have done more than their part; but the fact is, Governor Washburn last year leveled up the towns in this State, the last quota of nine-months' men, and got them quite considerable even, and they have remained somewhat so since, as our recruits have not been large since then.

It would ease me somewhat if you will say that you have examined the statements made by me in relation to the different towns in your State claiming to have furnished a surplus over their quota, and am satisfied at this late day of the draft you could not as a whole improve the present apportionment much if you attempted it, therefore decline varying the present draft, believing it is not called for at the present time, but at the next subsequent draft, if any should be called for, it will be examined and corrected as far as it can be. Something like the above for me to let the papers publish would, I think, quiet matters here and be better than making any alterations at this time.

The drafts in this State are progressing very quietly, and I do not apprehend any further difficulty.

We shall not get so many conscripts as I was in hopes when I wrote you before, which makes me the more anxious that the distribution of them to the different commands should be in a way that would be for the best interest of the service.

I am getting started three regiments of veteran volunteers, which I am in hopes to fill entirely from discharged soldiers, which will be to come out of our next draft, if ever made. I am paying each one $100 State bounty. In the meantime I have the honor to remain,

Very respectfully, your friend and servant,

A. COBURN,
Governor of Maine.

STATE OF NEW YORK, EXECUTIVE DEPARTMENT,
Albany, August 15, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

The annexed certificate of General John T. Sprague, adjutant-general of the State, shows the quota of Erie County under the calls of July 1 and August 4, 1862, and the number of volunteers furnished from said county as appears by the records of his office, which is satisfactory evidence to me of the fact set forth.

Very truly, yours,

HORATIO SEYMOUR.

ADJUTANT-GENERAL'S OFFICE,
Albany, August 14, 1863.

From the original return of the county of Erie, dated November 7, 1862, it appears that the quota for said county under the call for volunteers of July 1, 1862, for three-years' men was 2,195; and under the call of 4th of August, 1862, for nine-months' men was 2,195; making a total for said county under both of said calls of 4,390. According to the above-mentioned return the said county of Erie has furnished to November 7, 1862, of three-years' men, 3,406 volunteers. By further evidence filed in this office the said county has furnished since the return of November 7, 1862, up to February 7, 1863, 1,062 three-years' men; except that 10 of such number were nine-months' men, making to said 7th of February, 1863, a total of 4,468; being a surplus at said last-named date of 78.

That by further evidence this day filed in this office said county has furnished subsequent to said 7th of February, 1863, up to the 10th of August, 1863, 1,058 three-years volunteers, which, added to the above-mentioned surplus of 78, gives a total of 1,136 furnished over and above the quota under the two calls of July 1 and August 4, 1862, for which total of 1,136 the county of Erie stands credited on the records of this office.

All the above-mentioned evidence is certified to by Henry L. Lansing, chairman of the military committee of the Thirty-first Senatorial District, appointed by circular from this office dated July 5, 1862, and which evidence is now on file in this department.

JOHN T. SPRAGUE,
Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE SUSQUEHANNA,
Chambersburg, August 15, 1863.

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

DEAR SIR: I telegraphed yesterday asking you to allow drafted men in the militia to report to their district provost-marshal within ten days after their regiment was mustered out. If my request had been granted I think perhaps these ninety-days' men would be more inclined to stay in service, and Governor Curtin would not have that pressure upon him which he now complains of, and consequently I should have one less obstacle in the way of keeping troops here to assist in completing the draft. If the Governor consents to let a few regiments remain, most of the commanders say that the regiments will be much demoralized by the drafted men leaving. You are probably aware that I am, or shall be, pretty short of men if the militia all go out of

the service. I believe the enrollment is now completed in the mining regions.

I am, sir, respectfully,

D. N. COUCH,
Major-General.

NEW YORK CITY, *August 16, 1863—9.30 a. m.*

The PRESIDENT OF THE UNITED STATES:

SIR: In view of the uncertainty as to the quotas which may be required from the several Congressional districts under the conscription act, there is a doubt by many as to whether volunteers now recruited will be available to reduce the quotas as they may be ultimately adjusted. This doubt interferes with the recruiting of volunteers. I therefore request that volunteers heretofore recruited and mustered into the service of the United States shall be accepted as substitutes for such conscripts residing in the same Congressional districts, whether now drawn or heretofore drawn, as may be designated by the State authorities. I am satisfied that such an arrangement will secure immediately a large number of volunteers.

Yours, truly,

HORATIO SEYMOUR,
Governor of New York.

EXECUTIVE MANSION,
Washington, D. C., August 16, 1863.

Governor SEYMOUR,
New York:

Your dispatch of this morning is just received, and I fear I do not perfectly understand it. My view of the principle is that every soldier obtained voluntarily leaves one less to be obtained by draft. The only difficulty is in applying the principle properly. Looking to time, as heretofore, I am unwilling to give up a drafted man now even for the certainty, much less for the mere chance, of getting a volunteer hereafter. Again, after the draft in any district, would it not make trouble to take any drafted man out and put a volunteer in; for how shall it be determined which drafted man is to have the privilege of thus going out to the exclusion of all the others? And even before the draft in any district the quota must be fixed; and the draft might be postponed indefinitely if every time a volunteer is offered the officers must stop and reconstruct the quota. At least I fear there might be this difficulty; but at all events let credits for volunteers be given up to the last moment, which will not produce confusion or delay. That the principle of giving credits for volunteers shall be applied by districts seems fair and proper, though I do not know how far by present statistics it is practicable. When for any cause a fair credit is not given at one time it should be given as soon thereafter as practicable. My purpose is to be just and fair, and yet not to lose time.

A. LINCOLN.

NEW YORK CITY, *Sunday, August 16, 1863.*

His Excellency HORATIO SEYMOUR,
Governor of New York, Albany, N. Y.:

SIR: On the 13th instant I had the honor to inform you that orders had been issued for a draft in the city of New York upon the quotas

assigned in accordance with the President's letters to you. I now have the honor to say that the drawing will commence on Wednesday next, the 19th instant.

In consideration of the fact that the late riot in the city of New York, said to have been occasioned by the draft, was not immediately suppressed by the forces and influences brought to bear upon it, the General Government has determined to have troops in the city to meet any emergency which may arise in connection with the execution of the law of the United States known as the enrollment act. The measures adopted, supported by the municipal and militia forces, which have so often and so lately manifested their loyalty and patriotism, will, it is hoped, prevent a recurrence of the scenes enacted in July last.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

NEW YORK, *August 16, 1863.*

Major-General DIX,
Commanding Department of the East, New York:

GENERAL: I am under the impression that the Secretary of War thought that the troops he is sending would be ample to accomplish all purposes without calling out the militia, and that the call for the militia was to be made only in the contingency of more serious opposition than is apprehended.

I mention this as General Canby thinks you intend to make a call on the Governor to-morrow for militia force. I may be mistaken as to the Secretary's intention, or he may have given you instructions other than those made known to me, but if they are doubtful, I would take the liberty of respectfully suggesting that you dispatch the Secretary to-day in reference to his wishes about calling out the militia. My understanding was that he wished to produce the impression that the General Government was abundantly able and prepared to have its laws executed.

To call out the militia without being forced to would, it seems to me, indicate weakness on our part.

I am, general, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

[AUGUST 16, 1863.—For Johnson to Lincoln, reporting success in raising Tennessee troops, see Series I, Vol. XXX, Part III, p. 54.]

[AUGUST 17, 1863.—For Banks to Lincoln, relating to the organization of negro troops in the Department of the Gulf, see Series I, Vol. XXVI, Part I, p. 688.]

HEADQUARTERS,
1210 Chestnut Street, Philadelphia, August 17, 1863.

Hon. EDWIN M. STANTON,
Secretary of War, Washington, D. C.:

SIR: On the 6th of June I offered to place under your control for the service of the War Department an organization for recruiting

colored men in the free States which I had established at Buffalo, N. Y. This organization consisted of salaried agents in most of the large cities, and sub-agents paid a recruiting fee for the men procured by them. It was then my intention to retire from this work. In reply you requested me to retain it for the service of the War Department and offered to make me recruiting commissioner for the United States with liberty to make and execute my own plans and audit the accounts of my agents. Funds were to be placed at my disposal from the secret service fund of the Department. I accepted the offer and reported to you in person for duty on the 13th of June, and was directed to proceed to Philadelphia and superintend the raising of colored troops in Pennsylvania.

This duty has been successfully performed. One colored regiment (Third U. S. Colored Volunteers) of 800 men was raised in four weeks and the Sixth U. S. Colored Volunteers has four companies of eighty men each.

Of late the draft has interfered with recruiting, but when that is filled and colored men have no chance to be paid as substitutes, I think recruiting here will be resumed with spirit.

On the 13th of June when I applied to you for funds I was informed that you had decided to draw on the fund for recruiting, &c., of the volunteer army, and I was directed to apply to Major Vincent for information as to the manner of accounting for such funds. From him I received information that civilians could not be paid as recruiting agents of the War Department and that it would be necessary to give my agents commissions in the volunteer regiments and afterward detail them for service under my orders.

I also found it necessary to acquaint myself with the details of the recruiting service to enable me to decide in what manner I could connect my mode of recruiting with that authorized by the War Department.

It soon became apparent to me that my agents to be efficient must be as heretofore under my exclusive control, and I took measures to raise a fund by subscriptions in our large cities to defray such expenses of recruiting in the Southern States as could not legally be paid by the War Department, in which I have been very successful. Fifty thousand dollars has been pledged for this purpose in New England, and I have encouragement that all that will be wanted can be procured in other cities, including New York and Philadelphia. This fund will be sufficient for all purposes except the payment of the recruiting fee of $2 per man, authorized by law to be paid to any person who will bring an acceptable recruit to a station. The payment of this trifling sum to colored men of ability will encourage them to devote themselves to the work, and their advocacy of this service will create a general impression on their race favorable to the service. Many of them will venture within the enemy's lines, prompted by hatred of slavery and the desire to earn money, and we may reasonably expect soon to demoralize the slave population everywhere within the enemy's lines. The recruiting fee will be found a powerful instrument in our hands.

On the 10th instant, having funds in my possession, I notified you that I was ready for recruiting in the Southern States, and the next morning proceeded to Baltimore to confer with Colonel Birney. A fortnight earlier I had, with his consent, placed one of my agents under his direction and advanced him funds from my private means (his own being exhausted) to aid in the work. I was much pleased to

learn from him that the aid furnished had largely increased the number of his men, and he expressed the belief that with continued aid he could recruit several regiments in Maryland.

On Wednesday I called on Major-General Foster, at Fortress Monroe, who received me very cordially, and said he should be glad to have my aid in recruiting in his department—would subsist, arm, and clothe the recruits, but had no money to pay the recruiting expenses. He referred me to Brigadier-General Naglee, at Norfolk, who could give me information as to recruiting there and at New Berne.

I also called on Captain Wilder, superintendent of contrabands, who informed me that a few weeks earlier an order was sent from Washington to Fortress Monroe to impress all able-bodied colored men for service in the Quartermaster's Department at Washington, and that all who could be secured had been sent forward; that many had escaped and in fright had taken to the woods, where they remained, preventing others from coming in. He said it would require some time to dispel their fears; that in time, if the impressment was not resumed, we could obtain large numbers for the army. He also said that the number of men would be largely increased by the payment of the recruiting fee.

On Thursday I called on Brigadier-General Naglee, at Norfolk, stating that I had been referred by Major-General Foster to him for information of the recruiting in Norfolk and New Berne, N. C. At the same time I showed him my appointment as recruiting commissioner. He refused to give me any information without a positive order, but volunteered advice as to other work, which not being in my department I declined to receive. I was informed at Fortress Monroe that General Wild had used his own funds in recruiting his brigade.

My conclusions, derived from information obtained on this trip, are that eight to ten regiments can by the use of proper means be raised in Maryland and as many more in General Foster's department, but that the officers in command of the army are already so fully occupied with their duties that they have not sufficient time to attend to this work.

I therefore recommend that an officer of proper rank be charged with the recruiting of colored troops in Maryland, and another be sent to General Foster's department for the same duty; that they be provided in advance with the necessary funds for the payment of expenses, including a fee of $2 each for procuring recruits; that the impressment of colored men be discontinued everywhere. The ablest of them run to the woods, imparting their fears to the slaves, thus keeping them out of our lines, and we get only those who are too ignorant or indolent to take care of themselves. I feel sure we can get more men by fair enlistment, or hiring them at wages as laborers, in three months than we can by combining it with impressment.

I have been reliably informed that in General Gillmore's department at least 300 were frightened away by impressment previous to his arrival; are in the woods, visiting the plantations by night and returning to their hiding-places before daylight. They prevent the slaves from running to our lines.

Colonel Birney appears to be well qualified to take sole charge of recruiting in Maryland. He readily acquires the confidence of the negro, and is a thorough organizer of a regiment.

I returned to this city on Friday last. On Saturday I received your order to report to Major-General Rosecrans. It will require a few

days to arrange my affairs here and in Boston, but as soon as possible I will report myself for duty according to orders.

I have the honor to be, very respectfully, your obedient servant,

GEORGE L. STEARNS,

Maj. and A. A. G., U. S. Vols., Recruiting Comr. U. S. Col. Vols.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,

Springfield, August 17, 1863.

Hon. E. M. STANTON,

Secretary of War:

SIR: I am satisfied there will be formidable organized resistance to the draft in many parts of this State. I am further satisfied that whether there is a draft or not there is a settled purpose of revolution in the State.

Large bodies of men meet in arms in various parts of the State, in some cases 400 or 500 armed men, and applaud speakers who advise them to arm and resist the oppressions of the Government. Companies and battalions drill by day and night, threatening opposition to the Government. An outbreak may be expected at any time. Murders and assassinations continually occur.

Our State is defenseless. You do not reply to my appeals for troops and arms. You have not answered my letter of August 5.

I will again appeal to you either to send arms for the militia companies now being organized, or to send an independent force of five or six regiments to General Ammen here, or, what would perhaps be the best course, send seven or eight of our old regiments to the State to recruit.

I beseech you to consider this carefully and to act immediately.

Very respectfully,

RICHARD YATES,

Governor.

HARRISBURG, *August 17, 1863.*

Col. J. B. FRY,

Provost-Marshal-General U. S. Army:

Governor Curtin gives me official information that the State troops will be withdrawn and mustered out of service at once. There are less than 300 of Invalid Corps here. How shall troops be replaced at Pottsville and other places?

J. V. BOMFORD,

Lieut. Col. Sixteenth U. S. Infty., Actg. Asst. Prov. Mar. Gen.

NEW YORK CITY, N. Y., *August 18, 1863.*

Major-General HALLECK,

General-in-Chief:

I am advised by the quartermaster at Fort Monroe that only two steamers with troops for this city had arrived at 2 p. m. to-day. They cannot possibly be here before to-morrow night, if then. I shall try to keep the knowledge of the fact concealed and make the most of the force we have. Have any transports come direct without stopping

at Fort Monroe? Governor Seymour at the last moment has notified me that there can be no violation of good order, no riotous proceedings, and no disturbances of the public peace which are not infractions of laws of the State; that those laws will be enforced under all circumstances.

JNO. A. DIX,
Major-General.

GENERAL ORDERS, No. 288. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, August 18, 1863.*

ORDER IN RELATION TO SEIZURES OF GOODS.

In every case of seizure of goods by officers acting under the authority of this Department, a true and perfect inventory thereof shall be taken in triplicate by the officer making the seizure, one copy of which shall be given to the person from whom the goods were taken, one copy retained by the officer, and the third copy will be forwarded with a report of the seizure, which will be immediately made to this Department. The officer making the seizure will be held accountable for the goods while they are under his charge, and until they are disposed of according to orders from this Department.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

SPECIAL ORDERS, No. 45. } VICKSBURG, MISS., *August 18, 1863.*

Under instructions from the Secretary of War, the undersigned hereby announces his return to this region of the country for the purpose of continuing the organization into the military service of the United States of all able-bodied male persons of African descent who may come within our lines, or who may be brought in by our troops, or who may have already placed themselves under the protection of the Federal Government; also to take such measures as may prove most beneficial for the welfare of all women, children, aged and infirm persons of African descent who have sought refuge within our lines, or may hereafter do so.

In future all able-bodied male negroes of the above class will at once be organized, by such officers as may be detailed for that duty, into the military service of the United States, when they will be assigned to regiments composed of persons of African descent, now in process of formation, or to be formed hereafter.

It has become apparent that the system of receiving all negroes who may have sought the protection of our Government, and allowing them to remain, in many instances, in a state of almost inactivity, has become at times, not only injurious to the interests of the service, but to the welfare of the negroes themselves, resulting in habits of idleness, sickness, and disease.

It is further considered expedient that all children and females of negro descent who may be hereafter desirous of seeking refuge within the lines of the United States troops be advised to remain on the plantations, or elsewhere, where they have been heretofore in a

troops there were sent from said Erie County the Twenty-first, Forty-ninth, and One hundredth Regiments, numbering 2,709 men, and other battalions and companies to said county's fair proportion of the entire calls, but as no quota was assigned to any district or county no evidence can be furnished from records of this office of any particular quota from said Erie County prior to said 1st July, 1862.

JOHN T. SPRAGUE,
Adjutant-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, August 18, 1863.

Col. JAMES V. BOMFORD,
Actg. Asst. Provost-Marshal-General, Harrisburg, Pa.:

Inform Major-General Couch immediately what Governor Curtin says about discharging the State troops and explain to him the effect it is likely to have on the operations of this Bureau in Pennsylvania, and tell General Couch where troops are wanted and how many.

JAMES B. FRY,
Provost-Marshal-General.

GENERAL ORDERS, No. 290. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, August 19, 1863.*

In accordance with the requirements of paragraph 5, General Orders, No. 245, from the War Department, it is hereby ordered that the invalid companies of the Regular Army shall be made up as follows:

I. By taking the enlisted men of those commands now in the field (whether actually present or temporarily absent) who, from wounds received in action or diseases contracted in the line of duty, are unfit for field service, but are still capable of effective garrison duty, or such other light duty as may be required of an invalid corps. Regimental commanders shall at once make out, from information received from their medical and company officers and from their own knowledge, rolls of the names of all those enlisted men under their commands who fulfill the following conditions, viz:

1. That they are unfit for active field service on account of age, or wounds, or disease contracted in the line of their duty—this fact being certified by a medical officer after a personal examination.

2. That they are fit for garrison duty—this fact being likewise certified by the medical officer as above after a personal examination.

3. That they are, in the opinion of the commanding officers, meritorious and deserving.

These rolls shall be certified by the examining surgeon and regimental commander and transmitted through the regular military channels to the Adjutant-General of the Army.

II. By taking those enlisted men still in service and borne on the rolls, but who are absent from duty in hospitals, convalescent camps, or are otherwise under the control of medical officers. In these cases the medical officer shall, as soon as possible, prepare rolls and send them properly certified by himself to the Adjutant-General of the Army.

The rolls of men for the invalid companies having been received, they will be sent, under orders from the Adjutant-General of the

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 18, 1863.

Maj. NOAH L. JEFFRIES,
Assistant Adjutant-General of Volunteers, Baltimore, Md.:

MAJOR: I have the honor to inclose herewith an order assigning you to duty as acting assistant provost-marshal-general for the States of Delaware and Maryland; also a copy of a letter sent to His Excellency Governor William Cannon, of Delaware, and His Excellency Governor Augustus W. Bradford, of Maryland.*

Copies of the Regulations for the Government of the Provost-Marshal-General's Bureau are forwarded herewith.† You are assigned to duty by virtue of your commission as major and assistant adjutant-general of volunteers in the service of the United States, and have the power belonging to it, but as there is no law creating the position of provost-marshal-general for States, you will act for the States of Delaware and Maryland in the name of the Provost-Marshal-General and as his assistant.

You will be exclusively under the orders of this department; yet, while the Governors of Delaware and Maryland have no control over you, you will be required to acquaint yourself with their views and wishes, and give them due weight in determining as to the best interests of the General Government, of which you are the representative. To this end you will use all proper means to gain and retain the confidence and the good will of the Governors and their State officers. You will endeavor by all means in your power to secure for the execution of the enrollment act the aid and hearty co-operation of His Excellency Governor William Cannon, of Delaware, and His Excellency Augustus W. Bradford, of Maryland, of the civil officers of these States, and also of the people.

Instructions in detail will be sent you from time to time as the requirements of the service of the provost-marshal-general's department in Maryland and Delaware may develop themselves.

You are authorized to establish a suitable office and employ such clerical assistance as may be absolutely necessary, conforming in principle to the rules governing provost-marshals in like cases.

You will make it your duty to present for the consideration of the Provost-Marshal-General all important questions arising in your States, with such remarks as will serve fully to explain them, and with such recommendations as you may consider best calculated for the benefit of the service.

You will also inform yourself as far as possible of the localities, number, and strength of the enemies to the Government, if there be any in your States, and you will ascertain the location and strength of the military forces, and of all enrolled, organized, or partially organized parties friendly to the Government within the same limits.

You will communicate fully and frequently upon the condition of affairs in the different districts under your superintendence, and take especial care to ascertain and report to this office all cases wherein the provost-marshals, surgeons, commissioners, enrolling officers, and other employés of this department shall have proved themselves unworthy or incompetent to fill the positions to which they have been appointed. The information necessary to this end will be obtained both by your own personal examinations and by the assistance of

*Next, *ante*. †See p. 125.

officers to be detailed under your orders as inspectors for this department in your States.

I am, major, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

(Similar letter sent to Brevet Major Andrews, assigning him to duty as acting assistant provost-marshal-general for California and Nevada Territory, with copies of letters to Governors Stanford and Nye inclosed. Also one to Major Lugenbeel, assigning him to duty as aforesaid to Oregon and Washington Territory, with copies of letters to Governors Gibbs and Pickering. Also one to Captain Gilbert, August 22, assigning him as acting assistant-provost-marshal-general for first twelve districts of Pennsylvania, with a copy of letter to Governor Curtin).

NEW YORK CITY, *August 18, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: The assistant adjutant-general of this State, Major Stonehouse, has informed me that there are 1,530 recruits for the volunteer service raised in the six Congressional districts composing the city of New York since the last report of recruits for the U. S. service raised in this State.

These recruits are portions of regiments of infantry, cavalry, and artillery now being organized under recent orders from the War Department. Major Stonehouse, who comes to consult with me by authority of Governor Seymour, wishes to know if the above-named number of men will be credited to the six districts referred to and deducted from the quotas established for the forthcoming drafts, and if so may the number be equally apportioned among these districts, as there are no data to determine to what particular district any of the recruits belong. The President in his dispatch to Governor Seymour, August 16, says, "Let credits for volunteers be given up to the last moment." Major Stonehouse is still in this city awaiting an answer to this.

ROBERT NUGENT,
Colonel and Acting Assistant Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, August 18, 1863.

Col. ROBERT NUGENT,
Actg. Asst. Provost-Marshal-General, New York City:

The evidence of the statements made by Major Stonehouse is not in the Adjutant-General's Office now, or if there it has come too lately to be considered, and the draft must go on for the quotas ordered. The credit, if found correct, will be considered on next draft.

JAMES B. FRY,
Provost-Marshal-General.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, August 18, 1863.

His Excellency HORATIO SEYMOUR,
Governor of the State of New York:

SIR: I did not receive until last evening your letter of the 15th instant.* Immediately on my arrival in this city on the 18th ultimo I called upon you with General Canby, and in a subsequent interview with you at my headquarters I expressed the wish that the draft in this State should be executed without the employment of the troops in the service of the United States. In a letter addressed to you on the 30th ultimo I renewed more formally the expression of this wish, and stated that if the military power of the State could be relied on to enforce the draft in case of forcible resistance to it, I need not call on the Secretary of War for troops for the purpose. In the same spirit, when some of the provost-marshals in the interior applied to me for aid against threatened violence, I referred them to you in order that they might be protected by your authority. It was my earnest wish that the Federal arm should neither be seen nor felt in the execution of the law for enrolling and calling out the national forces, but that it might be carried out under ægis of the State which has so often been interposed between the General Government and its enemies. Not having received an answer from you, I applied to the Secretary of War on the 14th instant for a force adequate to the object. The call was promptly responded to and I shall be ready to meet all opposition to the draft. I trust, however, that your determination, of which your letter advises me, to "call into requisition the military power, if need be, to put down violations of good order, riotous proceedings, and disturbances of the public peace, as infractions of the laws of this State," will render it unnecessary to use the troops under my command for the purpose, and that their only service here may be to protect the public property and the officers of the United States in the discharge of their duties, and to give those who intend to uphold the Government, as well as those who are seeking to subvert it, the assurance that its authority will always be firmly and effectually maintained.

I am, very respectfully, your obedient servant,

JOHN A. DIX,
Major-General.

ADJUTANT-GENERAL'S OFFICE,
Albany, August 18, 1863.

I certify that the quotas under call for volunteers in this State of July 1, 1862, and August 4, 1862, mentioned in my certificate in regard to Erie County under date of August 14, 1863, were respectively ordered and assigned by Major-General Morgan, then Governor of the State, on report of Adjutant-General Hillhouse, and that the quota assigned to Erie County was sufficient to make up, with the other districts and towns, the whole quota of the State; that prior to said July 1, 1862, no quota to Erie County or other districts in this State was assigned; that under the two calls for troops by the President, of April 15, 1861, for 75,000, and July 22, 1861, for 500,000 troops, the quota of this State was 113,280 men; that the number of troops required by said calls were furnished by the State; that of such

* Not found.

troops there were sent from said Erie County the Twenty-first, Forty-ninth, and One hundredth Regiments, numbering 2,709 men, and other battalions and companies to said county's fair proportion of the entire calls, but as no quota was assigned to any district or county no evidence can be furnished from records of this office of any particular quota from said Erie County prior to said 1st July, 1862.

JOHN T. SPRAGUE,
Adjutant-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, August 18, 1863.

Col. JAMES V. BOMFORD,
Actg. Asst. Provost-Marshal-General, Harrisburg, Pa.:

Inform Major-General Couch immediately what Governor Curtin says about discharging the State troops and explain to him the effect it is likely to have on the operations of this Bureau in Pennsylvania, and tell General Couch where troops are wanted and how many.

JAMES B. FRY,
Provost-Marshal-General.

GENERAL ORDERS, No. 290. WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, August 19, 1863.

In accordance with the requirements of paragraph 5, General Orders, No. 245, from the War Department, it is hereby ordered that the invalid companies of the Regular Army shall be made up as follows:

I. By taking the enlisted men of those commands now in the field (whether actually present or temporarily absent) who, from wounds received in action or diseases contracted in the line of duty, are unfit for field service, but are still capable of effective garrison duty, or such other light duty as may be required of an invalid corps. Regimental commanders shall at once make out, from information received from their medical and company officers and from their own knowledge, rolls of the names of all those enlisted men under their commands who fulfill the following conditions, viz:

1. That they are unfit for active field service on account of age, or wounds, or disease contracted in the line of their duty—this fact being certified by a medical officer after a personal examination.

2. That they are fit for garrison duty—this fact being likewise certified by the medical officer as above after a personal examination.

3. That they are, in the opinion of the commanding officers, meritorious and deserving.

These rolls shall be certified by the examining surgeon and regimental commander and transmitted through the regular military channels to the Adjutant-General of the Army.

II. By taking those enlisted men still in service and borne on the rolls, but who are absent from duty in hospitals, convalescent camps, or are otherwise under the control of medical officers. In these cases the medical officer shall, as soon as possible, prepare rolls and send them properly certified by himself to the Adjutant-General of the Army.

The rolls of men for the invalid companies having been received, they will be sent, under orders from the Adjutant-General of the

Army, under charge of proper officers, and with their descriptive lists and clothing accounts, to the depots to which they may belong, as follows:

First, Second, Third, Fourth, Fifth, and Sixth Cavalry, Carlisle Barracks, Pa.; First Artillery, Fort Independence, Boston Harbor; Second Artillery, Fort McHenry, Baltimore, Md.; Third Artillery, Fort Trumbull, Conn.; Fourth Artillery, Fort Washington, Md.; Fifth Artillery, Fort Hamilton, N. Y. Harbor; First Infantry, Annapolis, Md.; Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, and Tenth Infantry, Fort Columbus, N. Y. Harbor; Eleventh Infantry, Fort Independence, Boston Harbor; Twelfth Infantry, Fort Hamilton, N. Y. Harbor; Thirteenth Infantry, Newport Barracks, Ky.; Fourteenth Infantry, Fort Trumbull, Conn.; Fifteenth Infantry, Fort Adams, R. I.; Sixteenth Infantry, Fort Ontario, Oswego, N. Y.; Seventeenth Infantry, Fort Preble, Portland, Me.; Eighteenth Infantry, Camp Chase, Columbus, Ohio; Nineteenth Infantry, Fort Wayne, Detroit, Mich.

Enlisted men thus transferred will still be borne on the rolls of the companies to which they belong as on detached service at regimental depot. On arriving at the depots they will at once be organized into provisional companies, the officers for which will be assigned from those of the regiment who have been recommended for such duties by the board for the examination of sick officers at either Annapolis or Columbus, Ohio.

All enlisted men of the Regular Army who have passed the necessary examination for the Invalid Corps in accordance with the orders on the subject will be at once forwarded to their proper regimental depots.

By command of Major-General Halleck:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR No. 72. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., August 19, 1863.*

The act of Congress of April 14, 1802, enacts:

That the children of persons duly naturalized under any of the laws of the United States, or who, previous to the passing of any law on that subject by the Government of the United States, may have become citizens of any one of the said States under the laws thereof, being under the age of twenty-one years at the time of their parents being so naturalized or admitted to the rights of citizenship, shall, if dwelling in the United States, be considered as citizens of the United States.

Before any decision can be made or certificate issued by the State Department in regard to any such case, the name and evidence in the case must be transmitted through this office in the usual manner.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 19, 1863.

His Excellency HORATIO SEYMOUR,
Governor of New York, Albany, N. Y.:

SIR: I have the honor to inform you that orders have this day been sent to the Board of Enrollment of the Twenty-first District of New

York, directing that a draft be made on that district for 1,687 men of the first class.

This is in place of the one sent July 10, 1863, and I would respectfully request that the suggestions contained in my letter of July 1, 1863, be carried out in this case.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WASHINGTON, D. C., *August 19, 1863.*

Major-General DIX,
New York City.

One transport steamer left Alexandria on the 15th, six on the 16th, one on the 17th, two on the 18th, and three are now loading.

H. W. HALLECK,
General-in-Chief.

NEW YORK CITY, *August 19, 1863—3 p. m.*

Major-General HALLECK,
General-in-Chief:

The draft is progressing quietly. The troops are arriving. Governor Seymour has backed down, as you will see. General Sandford's division is out on the call of the mayor and police commissioners. The show of strength the Government is making will do great good.

JNO. A. DIX,
Major-General.

NEW YORK CITY, *August 19, 1863—11.30 a. m.*

Hon. E. M. STANTON:

There is not the least symptom of disturbance in any part of the city. General Canby, the police authorities, and the mayor are all confident that everything will pass off quietly. It is universally believed that you have 20,000 men. The troops last sent have not yet arrived. The militia are all under arms co-operating perfectly.

C. A. DANA.

PROVOST-MARSHAL'S OFFICE,
TWENTY-THIRD DISTRICT, STATE OF NEW YORK,
Syracuse, August 19, 1863.

[Col. JAMES B. FRY:]

COLONEL: I arrived here last night after arranging for the draft at Utica. I requested Colonel Marshall to send from Rochester 100 men with good officers from his regiment to Utica. On arriving here I find there is no necessity for retaining the 100 men detailed to this point by Colonel Marshall, and have telegraphed him not to respond to my request of yesterday, but to transfer the men now here to Utica. I find a sad deficiency in guards at headquarters and that there are a great many desertions by substitutes. This has determined me to divide the Invalid Corps force at my disposal about equally between the districts to serve as guards and escorts for enlisted men and substitutes. For this purpose we shall require

more officers. I think when I can see Major Jennings I will determine what division to make and what further officers may be needed.

I find a bad state of feeling existing here growing out of the volunteering. It seems the mayor of this city when a candidate for his office said if he was elected there should be no draft. The order he procured from you, agreeing to credit to the city—as he claims—all volunteers procured before the draft, has enabled him and his friends by getting the friends of the draft and of the Administration to co-operate by scouring the State for volunteers with subscriptions to increase the bounties, has enabled the recruiting officers to procure volunteers enough from all quarters to fill the quota of this city.

On my arrival here last night a large meeting was being held in which the mayor was congratulated for his success in having redeemed his pledge. The Government was roundly abused for having enforced the draft, and judge of my surprise to find the official correspondence between yourself and myself and this office produced and read and commented upon by speakers hostile to the Administration and the draft.

I shall try and ascertain who is responsible for this and report them to you for violation of Circular No. 16.

I have the honor to be, your obedient servant,

A. S. DIVEN,
Acting Assistant Provost-Marshal-General.

CIRCULAR No. 73. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, August 20, 1863.*

The following opinions of Col. Joseph Holt, Judge-Advocate-General, are published for the information and guidance of all officers of this Bureau.

In the case where there are only two sons of aged and infirm parents, and both are drafted. (Clause 4, section 2, enrollment act.)

Opinion.—Where, through inadvertence or ignorance of the law, aged or infirm parents having two sons have omitted before the draft to elect which shall be exempt, and both have been drafted, it seems that the right of election should still be allowed to be exercised at any time before the notice to report to the Board of Enrollment expires. The reason of the rule heretofore established requiring this election to be made before the draft was that a different course would result in "a practical exemption of two sons instead of one." This reason, however, does not apply in the case—necessarily of rare occurrence—where both sons have been drafted, since whichever may be elected, one still remains for the military service, which is all that the law claims or contemplates. The reason of the rule failing, the rule itself should be relaxed in such extreme cases, since the object of the law will thereby be accomplished without the slightest hazard of compromising the public interests.

With regard to the meaning of the word "labor," in section 2 of the enrollment act.

Opinion.—Labor is defined to be "bodily or mental exertion." It may, within the meaning of the law, be either physical or intellectual; it may be professional, mechanical, commercial, or agricultural; and each of these forms of labor may exist under modifications or in combination with each other. The means for the support of the parents or widow must be produced by this labor whatever may be its character. It need not be wholly produced from it, but it must be mainly so. A parent or widow receiving support from a son whose income is derived from dividends or rents cannot be said to be dependent on his labor; but if that income were entirely the fruit of professional or physical toil, then the case would be clearly within the purview of the law. In mixed cases, where the income is the product of labor and capital co-operating together, the application of the law

is rendered more difficult. Its object will probably be best secured by holding, as suggested, that in such cases the income which furnishes the support must be mainly derived from the personal labor of the son. If, for example, the son be a merchant or manufacturer, whose business, under his personal superintendence, yields him an annual revenue of $10,000—and such personal superintendence could not be estimated as worth more than $3,000 per annum—it could not be said, in the sense of the law, that his labor yielded the income to which his parent looks for support. It is, it is true, an element in the production, but not a preponderating one. A test may be found in an answer to the question, whether, if the son's personal labor were withdrawn by calling him to the military service, a support for the parent or widow would remain. If it would—and in the case supposed it would, since his superintendence could be supplied, and the productive capability of his capital would remain—then the claim to exemption cannot be allowed.

JAMES B. FRY,
Provost-Marshal-General.

JUDGE-ADVOCATE-GENERAL'S OFFICE,
August 20, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I have read and carefully considered the letter of Hon. Hugh L. Bond addressed to yourself, under date of the 15th instant, and mainly concur in his views, which are certainly presented with much force.

The right of the Government to employ, for the suppression of the rebellion, persons of African descent held to service or labor under the local laws, rests firmly on two distinct grounds. First, as property. Both our organic law and the usages of our institutions under it recognize fully the authority of the Government to seize and apply to public use private property on making compensation therefor. What the use may be to which it is applied does not enter into the question of the right to make the seizure, which is untrammeled in its exercise save by the single condition mentioned. Secondly, as persons. While those of African descent held to service or labor in several of the States occupy under the laws of such States the status of property, they occupy also under the Federal Government the status of persons. They are referred to *eo nomine* in the Constitution of the United States, and it is not as property but as persons that they are represented on the floor of Congress, and thus form a prominent constituent element alike in the organization and in the practical administration of the Government.

The obligation of all persons, irrespective of creed or color, to bear arms, if physically capable of doing so, in defense of the Government under which they live and by which they are protected, is one that is universally acknowledged and enforced. Corresponding to this obligation is the duty resting on those charged with the administration of the Government to employ such persons in the military service whenever the public safety may demand it. Congress recognized both this obligation on the one hand and this duty on the other, when by the twelfth section of the act of July 17, 1862, it was enacted that—

The President be, and he is hereby, authorized to receive into the service of the United States, for the purpose of constructing intrenchments, or performing camp service, or any other labor or any military or naval service for which they may be found competent, persons of African descent, and such persons shall be enrolled and organized under such regulations, not inconsistent with the Constitution and laws, as the President may prescribe.

The terms of this act are without restriction, and no distinction is made, or was intended to be made, between persons of African descent held to service or labor and those not so held. The President is empowered to receive them all into the military service, and to assign them such duty as they may be found competent to perform. The tenacious and brilliant valor displayed by troops of this race at Port Hudson, Milliken's Bend, and Fort Wagner has sufficiently demonstrated to the President and to the country the character of service of which they are capable.

In the interpretation given to the enrollment act, free persons of African descent are treated as "citizens of the United States" in the sense of the law, and are everywhere being drafted into the military service. In reference to the other class of persons of this race, those held to service or labor, the twelfth section of the act of 17th of July is still in full force, and the President may, in his discretion, receive them into the Army, and assign them such field of duty as he may deem them prepared to occupy. In view of the loyalty of this race, and of the obstinate courage which they have shown themselves to possess, they certainly constitute, at this crisis in our history, a most powerful and reliable arm of the public defense. Whether this arm shall now be exerted is not a question of power or right, but purely of policy, to be determined by the estimate which may be entertained of the conflict in which we are engaged, and of the necessity that presses to bring this waste of blood and treasure to a close. A man precipitated into a struggle for his life, on land or sea, instinctively and almost necessarily puts forth every energy with which he is endowed, and eagerly seizes upon every source of strength within his grasp; and a nation battling for existence that does not do the same may well be regarded as neither wise nor obedient to that great law of self-preservation from which are derived our most urgent and solemn duties.

That there exists a prejudice against the employment of soldiers of African descent is undeniable. It is, however, rapidly giving way, and never had any foundation in reason or loyalty. It originated with and has been diligently nurtured by those in sympathy with the rebellion, and its utterance at this moment is necessarily in the interests of treason. Should the President feel that the public interests require he shall exert the power with which he is clothed by the twelfth section of the act of 17th of July, his action should be in subordination to the constitutional principle which exacts that compensation shall be made for private property devoted to public uses. A just compensation to loyal claimants to the service or labor of persons of African descent enlisted in our Army would accord with the uniform practice of the Government and with the genius of our institutions. Soldiers of this class, after having periled their lives in defense of the Republic, could not be re-enslaved without a national dishonor, revolting and unendurable for all who are themselves worthy to be free. The compensation made, therefore, should be such as entirely to exhaust the interests of claimants, so that when soldiers of this class lay down their arms at the close of the war they may at once enter into the enjoyment of that freedom symbolized by the flag which they have followed and defended.

Very respectfully, your obedient servant,

J. HOLT,
Judge-Advocate-General.

INDIANAPOLIS, *August 20, 1863.*

Hon. E. M. STANTON:

I report to you the organization this day of four regiments of six-months' men, aggregate 4,000. The Seventh Indiana Cavalry authorized by you has already 600 men in camp and will soon be full.

O. P. MORTON,
Governor of Indiana.

STATE OF INDIANA,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Indianapolis, August 20, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: The disloyal element, under the name of "Democracy," are holding large mass-meetings in different parts of the State, at which the people are urged to arm and drill, which they are doing in many places in large numbers. Large quantities of arms and ammunition are being purchased and distributed, especially in the Seventh District and adjoining counties in Illinois. I inclose you a poster advertising one of these meetings to come off on Saturday next. The watchword given on the bill is, I am assured, the watchword of the Knights of the Golden Circle.

I think the best and perhaps only way to preserve the peace when the draft takes place in the several districts will be to be so well prepared to promptly suppress any outbreak as to convince all that an attempt to resist could not be even temporarily successful.

I have the honor, colonel, to be, very respectfully, your obedient servant,

CONRAD BAKER,
Colonel and Actg. Asst. Provost-Marshal-General for Indiana.

[Inclosure.]

OLD-FASHIONED BARBECUE.

The Democracy of Vigo County propose to give an old-fashioned barbecue at Terre Haute on Saturday, August 22, 1863, to which they invite the Democracy of the Seventh Congressional District and the adjoining counties of Indiana and Illinois.

The fatted calf will be killed and roasted for the refreshment of the brethren. Distinguished speakers, and plenty of them, will be present and address the meeting. This is a time for mutual understanding and concerted action on the part of the friends of the Constitution and the white man's liberty. Let all come and bring their families. The meeting will be held in the grove south of town, near the river, where the teams can be watered. The watchword of the day will be: "United we stand in defiance of tyrants."

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
August 20, 1863.

In reference to the quotas of Massachusetts, the following is submitted:

First. In organizing troops in 1861, after the call of May 2, no formal assignments of quotas to States were made, and there was no

fixed system in calling out troops. As circumstances demanded, requisitions were made upon the Governors. In many cases troops were tendered by the Governors and accepted by the United States without calls being made. Authorizations to individuals (independent acceptances) were given and many troops were brought into service in this way, without said authorization passing through the State authorities. This system of independent organization was terminated by General Orders, No. 18, of 1862, from this office. As a result of this want of a general system in the calling out of troops during the first year of the war it was found necessary before fixing the quotas under the calls of 1862 to determine the quotas of the respective States for 1861. This was done by considering the number of men the States had in the field. This number from the States that were to have additional quotas assigned was 548,184, the quota of which for Massachusetts was 34,868.

Second. July 7, 1862, twelve regiments were called for from Massachusetts "as part of her quota under call for 300,000 volunteers." (See telegram, copy herewith, marked A.*) August 26, 1862, the Governor was notified that the quota of 300,000 volunteers was 19,0^0. (See telegram B, herewith.†) The State was therefore duly notified that 19,080 was the quota assigned her. Exhibit C, herewith, will show the number of troops not embraced in the statement of May 19. Should these troops be credited to the State, then her deficiency by the records of this office to date would be 6,301—4,169= 2,132.

THOMAS M. VINCENT,
Assistant Adjutant-General.

C.

Exhibit of Massachusetts Volunteers not embraced in that of May 19, 1863, from this office.

The following companies of volunteers, mustered into New York regiments, are credited by enrollment to the State of Massachusetts, viz:

	Men.
Company B, 40th New York Volunteers	101
Company H, 1st Excelsior Brigade	89
Company D, 5th Excelsior Brigade	90
Total	280
(The above were mustered in during June, 1861.)	
2d Cavalry	1,009
54th Regiment Infantry, colored	1,027
55th Regiment Infantry, colored	1,022
4th Battery Heavy Artillery	145
6th Battery Heavy Artillery	144
Company D, heavy artillery (whether of Cabot's or Frankle's not stated, mustered into service June 6, 1863)	132
Recruits for the 7th, 8th, and 9th Companies, heavy artillery	42
Recruits for the 2d Regiment Heavy Artillery (Frankle's), mustered June 6, 1863	135
Total of three-years' men	3,656
Of the Union Coast Guard there are credited to Massachusetts	233
Total	4,169

*See Vol. II, this series, p. 208. †*Ibid.*, p. 466.

NEW YORK, *August 20, 1863.*

Major-General HALLECK:

DEAR GENERAL: By some mistake I fear the letter of which the inclosed is a duplicate was not sent to you.

Everything is going on well. Seymour, who is in the hands of a set of the meanest ward politicians in this State, held out to the last and then backed out. He was pledged to support the opposition to the draft. Some of the men about him had the impudence to say that his militia would be more than a match for the U. S. troops. His proclamation, which the mob consider an abandonment of his pledges, received, as far as I can learn, a general cursing in that quarter yesterday.

Colonel Nugent is preparing for the draft in the other city districts, and I think will be ready on Monday.

I am, very truly, yours,

JOHN A. DIX.

[Inclosure.]

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, August 16, 1863.

Maj. Gen. H. W. HALLECK,
General-in-Chief:

GENERAL: I am much gratified by the prompt and efficient preparation made by the Government to sustain its authority. I trust it will overawe resistance, and under any circumstances it will have salutary effect. You need not fear that the rioters, if they show themselves, will be tenderly treated. My orders on the day I took command were: First, to use no blank cartridges; and second, not only to disperse the mob, but to follow them up and so deal with them that the same persons should never be assembled again.

I went out with General Canby yesterday and selected the position to be occupied by the troops, some of whom we hope to see to-morrow morning.

I am, very respectfully, your obedient servant,

JOHN A. DIX,
Major-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 20, 1863.

Col. ROBERT NUGENT,
Actg. Asst. Provost-Marshal-General, New York City:

Captain Manierre may hire any building you may deem best. Commence draft in all the districts in city on Monday next, if possible, and push it through as rapidly as practicable.

JAMES B. FRY,
Provost-Marshal-General.

STATE OF NEW YORK,
JUDGE-ADVOCATE-GENERAL'S DEPARTMENT,
New York, August 20, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

DEAR SIR: Inclosed I send you a printed copy of my report to Governor Seymour in relation to the enrollment under the conscrip-

tion act.* While I was satisfied that there was an injustice in the enrollment which could not be ascribed to any other cause than design, I was fully impressed not only with the fairness of all your actions, but of your sincere desire that, so far as you could control it, the conscription should be free from even a taint of wrong. I have endeavored to express this conviction in my report. It is with great regret, and I may add surprise, that I have observed the resumption of the draft in this city without regulations to make fraud impossible. I have suggested such regulations on page 24 of the report, and I have written to the President to urge the adoption of some regulations of the kind. I hope they will yet be prescribed.

I remain, respectfully and truly yours, &c.,

NELSON J. WATERBURY.

HEADQUARTERS PROVOST-MARSHAL,
SECOND CONGRESSIONAL DISTRICT, SOUTHERN NEW YORK,
No. 26 Grand Street, Williamsburg, L. I., August 20, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General of the United States:

SIR: I have the honor to submit the following report of the plan adopted by me to secure a complete and accurate enrollment of persons liable to military duty in the Second Congressional District of New York:

Great care was taken to secure competent and faithful men as enrolling officers. In the selection of these officers recommendations were required as to their character from citizens of the highest respectability and character; next, they were required to satisfy the Board that they were capable of discharging the duties required of them. After having satisfied the Board on these points, they subscribed the oath required by law, and were then furnished with the following instructions:

First. To visit every house and every part of houses occupied by families and to ascertain and enroll every person of suitable age in the proper class, and to satisfy themselves, by inquiry of other persons living in the same house and in adjoining houses, of the truthfulness of the information given them. By this course many evasions and omissions to give information were discovered and prevented.

Second. All factories, stores, and places of business were ordered to be visited for the purpose of ascertaining whether any persons employed therein had there their residences. If so, then they were enrolled, but strict injunctions were laid down that no persons should be enrolled except at their residences. Hence no out-of-district lists have embarrassed the enrollment in this district, and any statements of excessive enrollment predicated on that idea are erroneous. This course was decided on for the very purpose of avoiding excessive enrollment, and the fact that very few duplications of names have been discovered by the most careful scrutiny of the lists must prove to any one that the enrollment is as nearly perfect as the nature of the case will admit. By the course pursued, no names could be obtained unless procured from the persons themselves or their immediate family or their neighbors, and I respectfully submit that it is extremely improbable that the names of persons residing out of

* See p. 640.

the district could be obtained in this way when it is taken into consideration that the bulk of the people residing in this district do business in the city of New York, and that their names were enrolled at their domiciles. The fallacy of the argument that many names are repeatedly enrolled must be apparent as regards the district of which I have charge.

That there are persons enrolled who are not liable to military duty there is no doubt; but before any specific instructions were received I adopted the principle that no injustice could be done to any person who was not liable, while if one person who was liable should escape that a great injustice would be suffered by every other person who was liable, my judgment being that those only who are liable are most interested in the faithful and impartial execution of the law.

The enrollment being thus completed, the next step was to consolidate the lists. This has been done according to the instructions laid down by the regulations of your department. These lists show the names of persons enrolled in each month (May and June), and after their completion they were carefully compared with the original enrollment; then they were compared with each other, so that no duplications should occur; then, after the necessary alterations had been made, each name commencing with the same initial letter was compared with the same initial of every other sub-district, and I have the honor to state that with this test not a single name was found duplicated out of the ward in which the person had his residence.

After these lists had been thus perfected the slips containing the names of persons enrolled were prepared, and as each name was written it was checked upon the list containing it, and so on till all were written. The slips were prepared by sub-districts, and have been kept separate. After a sub-district was completed the names were again compared and counted, after which they were sealed up, and are now in readiness to be used. They have not, however, been enrolled, for the reason that some necessity may arise for their further verification.

Thus the business intrusted to my supervision has been accomplished, and I am confident that the enrollment is as complete as it is possible to make it, and that every precaution against error has been taken which was possible to devise.

I also submit the following as the complete and corrected number of persons enrolled of class 1 by sub-districts:

Sixth Ward	3,314	Eighteenth Ward	685
Eighth Ward	908	Town of Flatbush	437
Ninth Ward	2,600	Town of Flatlands	298
Tenth Ward	3,373	Town of New Lotts	533
Twelfth Ward	1,414	Town of New Utrecht	501
Fourteenth Ward	2,888	Town of Gravesend	222
Sixteenth Ward	3,378		
Seventeenth Ward	1,545	Total	21,546

I am, sir, your obedient servant,

SAML. T. MADDOX,

Captain and Provost-Marshal, Second District of New York.

CIRCULAR No. 74. } WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., August 21, 1863.*

I. The attention of provost-marshals is called to that part of paragraph 83, Regulations, which is as follows:

The amount of evidence herein required to establish a claim to exemption is the least which the Board should accept; and if, in any case, the Board has reason

to doubt the character or sufficiency of the evidence presented, it should decline granting the exemption, unless such additional proof as it may require be presented in time to be considered without delaying the business of the draft.

II. The following is published for the guidance of provost-marshals in making daily telegraphic reports of examinations of drafted men. These reports should be made each day after the adjournment of the Board, and should relate to no other matter. The following is the form to be observed:

DAILY REPORT FOR ———, 1863.

Number of drafted men held, ———.	Exempted for all other causes, ———.
Substitutes accepted, ———.	Total examined, ———.
Paid commutation, ———.	Sent to general rendezvous, ———.
Exempted for disability, ———.	

No examination must appear twice in this report. The "total examined" should equal the total of preceding classifications.

III. Unless otherwise directed, provost-marshals will communicate by telegraph only on matters of immediate importance, and where too much delay would ensue from recourse to the mail. In forwarding telegrams the formality of letter correspondence must be omitted, and the dispatches must be couched in the fewest words possible to convey the meaning intended.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 21, 1863.

Governor MORTON,
Indianapolis, Ind.:

I can't now tell what your quota will be or when it will be ordered. The call will be for one-fifth the enrolled men of the first class in each Congressional district, reduced by district's proportion of the excess of men heretofore furnished by the State. The excess in Indiana is large, and it cannot be apportioned among the districts until we get the enrollment of all of them, which I hope will be soon. If you can expedite the enrollment in districts where it is not yet completed please do so. Colonel Baker can tell you how it stands.

J. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 21, 1863.

Col. ROBERT NUGENT,
Actg. Asst. Provost-Marshal-General, New York City:

The draft in First, Third, and Ninth Districts is to be made upon quotas originally ordered. No change is to be made in them.

The sub-districts of the First District, being the counties of Suffolk, Queens, and Richmond, and the enrollment having been made by counties, quotas cannot be assigned to towns.

JAMES B. FRY,
Provost-Marshal-General.

NEW YORK, *August 21, 1863.*

Col. J. B. FRY:

The draft in the Sixth District was completed this afternoon. The utmost good order has prevailed throughout.

ROBT. NUGENT.

WASHINGTON, *August 21, 1863—8.30 p. m.*

Col. ROBERT NUGENT,

Actg. Asst. Provost-Marshal-General, New York City:

Let the new drawing be a continuation of the old one in the Eighth and Ninth Districts, the same as if proceedings had not been interrupted; the remainder of the new drawing in Eighth District to be for the new quotas, which will be corrected and sent you to-morrow morning. No change in quotas of Ninth District.

JAMES B. FRY,
Provost-Marshal-General.

STATE OF NEW YORK, EXECUTIVE DEPARTMENT,
Albany, August 21, 1863.

The PRESIDENT OF THE UNITED STATES:

SIR: My duty to the people of New York compels me to address you again in relation to the volunteers from this State. Its Legislature, anxious to recruit the Army by volunteers, at its last session made an appropriation to pay bounties to volunteers. It was expected that these would be credited to the State as well as the number already furnished beyond its quota.*a*

On the 12th instant I wrote to Mr. Fry to learn up to what time they would be received in lieu of drafted men.*b*

To this letter I have received no answer, and I fear my communication did not reach him.*c*

I attach a copy of that letter. On the 15th [16th] instant I sent you a telegraphic dispatch, a copy of which I also send with this letter. In your answer you stated that they would be received up to the very latest practicable moment. *d*

On Monday of this week—the 17th instant—I learned, through the public journals, that a draft would be made on Wednesday, the 19th instant, in the Sixth District of New York.*e* *This was the first* notice I received of that proceeding.*f*

It is proper I should state that in no instance have I received notice of the time when a draft was to be made in any district.*g* The notices sent to me only stated that the enrollments were completed in certain districts, and that orders had been made directing a draft for

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a They were credited up to the time of making up quotas, June 11.—J. B. Fry.

b No such letter has been received up to this day, and I knew nothing of it till I saw the copy herewith.—J. B. Fry.

c For answer, see my letter to Secretary of War, herewith.—J. B. Fry.

d So they have been, as stated above.—J. B. Fry.

e On the 12th I notified him that orders were issued to resume the draft for quotas, as designated in the President's letter (see copy).—J. B. Fry.

f On the 16th I wrote from New York City and told him the drawing would begin on Wednesday, 19th instant.—J. B. Fry.

g I have given him all the information I could and all I supposed he wanted. See my letter herewith to Secretary of War.—J. B. Fry.

the number to be taken from such districts. On Tuesday, the day before the draft was to be made in New York, I received a notice of this description, and this is the only official notice I have received with regard to it. These notices do not give any intimations when the draft will be made. In some instances the draft is made at once; in others more than a month intervenes.

When I learned from public rumor that the draft was to be made on Wednesday in the Sixth District, in pursuance of your dispatch, I sent *the deputy adjutant-general* to New York for the purpose of having the number of volunteers raised in the district deducted from the number of conscripts to be drawn. This was not done. *a*

New York has paid bounties to about *9,000 volunteers since the 1st of January last.* These are in the field or in the service of the United States at the military camps in this State. *In what way are they to be credited to this State?* Large numbers are now joining the Army. I understand from your telegraphic dispatch that these should be credited to the State and to the proper districts, and that you are willing they should be credited at the last moment which will not produce confusion or delay. *b*

As there is no *definite rule* on this subject, and as the drafts are made without notice to me, there is danger that this State will be deprived of its just credit. *c*

The city of New York has sent about 3,000 volunteers into the Army since the 1st day of January last. I think *none* of these have been credited to that city.

I trust you will give some order upon this subject which will do justice to that city, which, beyond any other community, has supplied the armies and navy of the Union men during this civil war. *d*

There is another subject to which I wish to call your attention. Adjoining States, since the commencement of the war, and more particularly since the draft was ordered, have had agencies in the cities of New York and Brooklyn for the purpose of getting volunteers or substitutes. A large number of men have thus been drawn from this into the service of other States. As these men are enrolled here, they swell the quota to be taken from New York. *e*

By my order on the 10th instant Inspector-General Miller, of this State, wrote to Colonel Fry suggesting a mode by which this practice can be corrected. No answer has yet been received. I respectfully call your attention to General Miller's letter, a copy of which is attached to this communication. I attach a copy of the resolutions

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a The "deputy adjutant-general," of course, could not have the number of volunteers raised in the district deducted from the number of conscripts to be drawn by going to New York, and both the deputy adjutant-general and the Governor must have known that this could not be done.—J. B. Fry.

b All of them raised previous to making up quotas for draft July 11 have been credited, amounting to 6,000 or 7,000; the remainder raised since the quotas were made up, amounting to 2,000 or 3,000, cannot be credited until quotas shall be made for next draft.—J. B. Fry.

c The rule is definite to credit up to the last moment practicable before making up quotas.—J. B. Fry.

d I have nothing to show definitely what the city has furnished. All furnished by the State previous to July 11 have been credited as stated. The city has probably not suffered from the mode of assigning the credits throughout the State.—J. B. Fry.

e This subject is a very important one. It affects all the States as well as New York. I referred it to Colonel Holt to get his views of the legal points involved and the benefit of his advice on the subject generally. It has not yet been returned, but must be soon, as Colonel Holt now has the subject under consideration.—J. B. Fry.

adopted by the Common Council of New York with respect to this matter. *a*

Truly, yours, &c.,

HORATIO SEYMOUR.

Words in foregoing letter *underscored* by General Fry.*

[Inclosure No. 1.]

STATE OF NEW YORK, EXECUTIVE DEPARTMENT,
Albany, August 12, 1863.

Col. JAMES B. FRY:

We are recruiting large numbers of volunteers in this State under the influence of the bounties offered by our laws. These bounties are offered with a view of reducing the numbers to be drafted from this State. It is therefore important for me to know up to what time they will be received in lieu of drafted men. When that time has expired there will be no object in continuing the bounties; on the contrary, when no credit is allowed on the draft the continuance of volunteering increases the burthen of the draft upon our population.

If allowances are made for the volunteers on entering into the service of the United States, under what rules and under whose direction are the credits applied for the benefit of the districts entitled to the credit for such volunteers? Suppose 1,000 men are enlisted in one of the districts in the course of the months of July and August, and a draft is made for 2,500 men, how is the district to get the benefit of the enlistments? Or if a draft for 2,500 men is ordered but not made, will the number of volunteers be deducted from the number of the draft then ordered?

Efforts are made to get recruits by State and district bounties with a view of reducing the numbers to be drafted. When these recruits are not credited the localities are injured, not benefited, by enlistments.

An early answer will oblige me.

Truly, yours, &c.,

HORATIO SEYMOUR.

[Inclosure No. 2.†]

[Inclosure No. 3.]

STATE OF NEW YORK, INSPECTOR-GENERAL'S OFFICE,
Albany, August 10, 1863.

Col. J. B. FRY, Esq.,
Provost-Marshal-General, Washington, D. C.:

SIR: Persons residents and citizens of this State liable to military service and conscription therein are being taken in great numbers by substitute agents and recruiting officers from other States for the purpose of filling the quota of such States with residents of New York, contrary to the laws of this State and to the manifest prejudice of its citizens.

These outrages the civil authorities are unable to restrain, and I am therefore directed by his Excellency Governor Seymour respectfully to call your attention to the subject, and to ask that a general

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a August 25; the letter is just returned, and Colonel Holt's opinion is with my letter to Secretary of War.—J. B. Fry.

* Here printed in italics.

† See Seymour to President, August 16, 9.30 a. m., p. 681.

order be published whereby all persons entering the military service of the United States as substitutes for conscripts or otherwise shall be credited by the proper authorities to the State in which they shall have been enrolled and liable to military service, and that such persons be counted on the quota of such States, notwithstanding they may have been recruited by officers or hired by substitute agents of other States.

Such an order, strictly just in itself, would prove the most effectual way of correcting the great wrong now being done in this State, and of which our citizens so justly complain.

Very respectfully, your obedient servant,

JOSIAH T. MILLER,
Inspector-General State of New York.

[Inclosure No. 4.]

OFFICE CLERK OF COMMON COUNCIL,
No. 8 City Hall, New York, August 20, 1863.

His Excellency HORATIO SEYMOUR,
Governor of the State of New York:

SIR: A preamble and resolution was passed by the Board of Councilmen on the 14th instant, by the Board of Aldermen on the 15th, and was duly approved by the mayor on the 19th instant, of which the following is a copy:

Whereas, recruiting offices, and also substitution brokers' offices, have been opened in this city, by whom large bounties are offered to procure volunteers and substitutes for drafted men in other States, in violation of section 8 of chapter 184 of Laws of the State, passed 1863: Therefore, be it

Resolved, That the Governor be respectfully requested to take immediate measures to prohibit any and all persons from offering bounties, and from recruiting or procuring volunteers or substitutes from the city of New York for the purpose of taking them to other States.

The above act of the Common Council of the city of New York is, in accordance with my duty, respectfully transmitted for the consideration of Your Excellency.

Yours, truly,

D. B. VALENTINE,
Clerk of the Common Council.

MEMPHIS, *August 21, 1863.*

Hon. E. M. STANTON,
Secretary of War:

I have just arrived in this city in company with Major-General Grant. Great embarrassment is felt for the want of non-commissioned officers for regiments of African descent now in progress of formation. Will you not authorize the colored men drafted in the Western States to be forwarded to this department, that the most intelligent may be appointed non-commissioned officers?

L. THOMAS,
Adjutant-General.

CIRCULAR No. 76. WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, D. C., August 22, 1863.

The following opinions of Col. Joseph Holt, Judge-Advocate-General, are published for the information and guidance of all officers of this Bureau:

In the case of an only son of a divorced woman whose husband is still living.

Opinion.—A woman divorced from her husband, who is still living, is not, in the general acceptation of the term, or in the sense of the law, a "widow," a widow being defined to be "a woman who has lost her husband by death." Her only son, therefore, upon whose labor she is dependent for her support, is not exempt under the second clause of the second section of the enrolling act. Whether such a claim to exemption might not be allowed in this case, under the third clause of the section, cannot be determined with the proofs before me, since there is no evidence offered that the mother is either aged or infirm.

In the case of clerks of naval or military commanders.

Opinion.—I see no sufficient reason for treating the clerks of naval or military commanders as in the military service, within the meaning of the enrolling act.

In the case of a widow having three sons, two of whom are in the naval service.

Opinion.—In the case of a widow having three sons, two of whom are in the naval service, the law must be held to exempt the third, provided the mother is dependent on his labor for her support. The object of the law was to prevent destitute widows from being entirely deprived of support by having their sons forced into the military service; but this object would be defeated in the case named if, with two sons in the Navy, the third and only one remaining could be drafted.

In the case of a person convicted of felony and pardoned before the passage of the enrollment act.

Opinion.—A person convicted of felony and pardoned before the passage of the enrollment act is exempt from the draft. The language of the act is without qualification, and declares that "no person who has been convicted of any felony shall be enrolled, or permitted to serve in said forces."

In the case of persons drafted into the military service who are now in service on board Government light-vessel.

Opinion.—The persons mentioned cannot be regarded as in the military service of the United States.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington City, August 22, 1863.

His Excellency RICHARD YATES,
Governor of Illinois, Springfield:

SIR: Your letters of the 5th and 17th of August have remained unanswered until it should be determined, by the course of events, whether troops should be sent from the field into your State. Although the success of our arms has been brilliant beyond example, and much has been accomplished toward the suppression of the rebellion, the condition of military operations still remains such that it is deemed inexpedient at present to remove troops from the field for duty where their services may not be absolutely required. The Department has not been insensible to the demonstrations made by the enemies of the Government in your State, but has relied upon the result of military operations elsewhere to render them harmless; if, however, it should become necessary, in order to preserve peace and maintain the authority of the Government in Illinois, to arm your militia, the Department will, upon your requisition, furnish arms and ammunition for that purpose to the extent that may be within the power of the Government.

Yours, truly,

EDWIN M. STANTON,
Secretary of War.

STATE OF NEW YORK, EXECUTIVE DEPARTMENT,
Albany, August 22, 1863.

The PRESIDENT OF THE UNITED STATES:

SIR: I have requested Major Stonehouse to go to Washington to consult with you and the War Department with respect to military affairs in this State. He was assistant adjutant-general under the administration of Governor Morgan, and is fully acquainted with the facts and history of the enlistments in New York.

You will oblige me if you will give him an opportunity to present to you some questions of public interest.

Truly, yours, &c.,

HORATIO SEYMOUR.

CONFIDENTIAL.] WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, D. C., August 22, 1863.

Maj. A. S. DIVEN,
Actg. Asst. Provost-Marshal-General, Elmira, N. Y.:

SIR: I have just received your letter from Syracuse, and do not understand whether or not the draft has taken place in that city or when it is to take place. I can hear but little from the provost-marshal there. It was not my intention that the draft should be omitted there or anywhere else, and there is an unsatisfactory condition of things in that district. I desire you to examine and report in detail on the subject, and if there is, on the part of any of our officers, a disposition to subordinate the public to local interests, a change must be made.

I am greatly importuned in reference to alleged abuses at Elmira. You have already presented the subject and said you would look more carefully into it. It is necessary that this should be done as soon as possible and innocence or guilt established and proclaimed. Judge Grover appears to be the most active person in these accusations. I am acquainted with his relations toward you, but you know he has persons who indorse him on general principles.

I am, major, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

SPECIAL ORDERS, No. 375. } WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, August 22, 1863.

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18. So much of Special Orders, No. 371, August 20, 1863, from this office, as directs Brig. Gen. S. G. Champlin, U. S. Volunteers, to relieve Brig. Gen. John S. Mason, U. S. Volunteers, in command of the depot for drafted men at Camp Cleveland, Cleveland, Ohio, is hereby revoked.

19. Brig. Gen. E. L. Viele, U. S. Volunteers, will repair at once to Camp Cleveland, Cleveland, Ohio, and relieve Brig. Gen. John S. Mason, U. S. Volunteers, in command of the depot for drafted men at that place. Lieutenants Field and Van Winkle, aides-de-camp to General Viele, will report to him for duty at Camp Cleveland.

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By order of the Secretary of War:

E. D. TOWNSEND,
Assistant-Adjutant-General.

WASHINGTON, D. C., *August 22, 1863.*

Major-General COUCH,
Chambersburg, Pa.:

The orders already sent to you are not to muster out nor consent to the mustering out of ninety-days' men until their term of service expires. If the Governor musters them out he assumes the responsibility.

H. W. HALLECK,
General-in-Chief.

CIRCULAR No. 77. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., August 24, 1863.*

The following opinions of Col. Joseph Holt, Judge-Advocate-General, are published for the information and guidance of all officers of this Bureau:

In the case where the father of motherless children under twelve years of age has married again.

Opinion.—The father of motherless children under twelve years of age dependent on his labor for their support is exempt, notwithstanding he may have married a second time and his wife be living. A stepmother is not believed to be a mother in the sense of the act.

In the case of a widow having two sons, one of whom is a cripple or invalid.

Opinion.—A widow having two sons, one of whom is a cripple or a hopeless invalid, disabled from disease for the military service, the other is exempt, provided his mother is dependent on his labor for her support. The condition, however, of the invalid son must be not a temporary disability, but one chronic in its character.

In cases where deserters are offered as substitutes.

Opinion.—The Board of Enrollment is charged with the duty of determining whether a substitute offered is "acceptable" or not. The Board must necessarily have the power of ascertaining and deciding whether he is a deserter, or whether he is under a present obligation to perform military service on his own account, which of course would disqualify him from serving as a substitute. Over this question they have an original jurisdiction and are not bound to await its solution by any other tribunal, civil or military. It is not necessary that the substitute presented should have been found or decided to be a deserter by a military court to justify the Board of Enrollment in declaring that he is not "acceptable." If he is proved before the Board to be a deserter, or if the testimony furnishes reasonable ground for the belief that he is so, he should be rejected. The obligation of the principal is certain and absolute, and cannot be canceled by a substitute of doubtful qualifications.

In the case where one son of aged or infirm parents is in the first class, and two or more in the second class.

Opinion.—Where there is one son in the first, and two or more in the second class, subject to draft, the latter are within the meaning of the fourth provision of the second section of the act as liable to draft.

In the case where only one of the parents is aged or infirm.

Opinion.—The only son of parents dependent on his labor for their support is not exempt, if but one of the parents is aged or infirm. The supposed disability which gives rise to the exemption must apply to both.

In the case where one son is in the service and another has furnished a substitute.

Opinion.—A son who has furnished a substitute should be treated as in the service for all the purposes of the exemption secured by the seventh clause of the second section of the act. It is the amount of contribution to the military service made

by members of the same family that is the basis of the exemption, and it is wholly immaterial whether this contribution be made personally or through substitute.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington, D. C., August 24, 1863.

Brigadier-General THOMAS,
Adjutant-General, Cairo:

Abstain from issuing any proclamations or public calls, and confine yourself to executing your instructions by organizing troops. If there be any occasion for relief to women, children, and infirm persons, report to the Department specially and fully the facts and wait for instructions.

EDWIN M. STANTON,
Secretary of War.

If General Thomas shall have left Cairo forward the above telegram to him at Memphis and Vicksburg.

CHICAGO, ILL., *August 24, 1863—10.30 p. m.*

His Excellency President A. LINCOLN:

The Common Council, Chicago, on the 10th instant appropriated $120,000 to be expended in procuring volunteers to take the place of poor men with families who might be drafted from Chicago. They appointed a committee of eleven, including the undersigned, to take charge of the business, and specially authorized them to correspond and confer with any of the Federal authorities in relation to the fairness of the conscriptions, the acceptance of said volunteers in lieu of drafted men, and such other matters as might pertain to the efficient performance of their duties under the ordinance.

A sub-committee appointed to wait on the Board of Enrollment reported that they were informed by the Board that the number of names enrolled for this city was over 28,000, while the entire rate of the city was 20,347; that they, the sub-committee, believed the enrollment contained 40 per cent., or 8,000, more names than could have been legally entered, and requested of the Board permission to take a copy of the corrected consolidated list in order to canvass it and suggest corrections; that the request was refused on the ground, among others, that the list had been sealed up and the Board did not feel authorized to unseal it without authority from Washington. Therefore the committee adopted the following resolution:

Resolved, That a sub-committee, to be composed of the mayor and comptroller, be, and is hereby, appointed to obtain from the President of the United States or other proper authority permission for the committee to take copies of the corrected consolidated enrollment list of this district, which embraces the city, now on file in the office of the Board of Enrollment of this district, and such other documents and papers as will enable this committee to ascertain the correctness of said list, and all other matters pertaining to the draft in this city.

The undersigned accordingly represent that the desire of the committee and the city authorities is not to impede in any way the execution of the conscription law, but only to secure justice and prevent unfairness in the operation upon the people of Chicago, to properly

administer the funds and perform the duties committed to them, and incidentally to preserve the public peace. They desire to take a copy of said list for examination, the same having never been published, that they may urge such corrections as are important and time will permit, and they respectfully request you, Mr. President, to authorize and direct the sealed consolidated list for the Chicago district, on file in the enrollment office here, to be unsealed and permission given the conscription war fund committee to take a copy of the same at the expense of the city.

F. C. SHERMAN,
Mayor.
S. S. HAYES,
Comptroller.

DAVENPORT, IOWA, *August 24, 1863.*
(Received 11 p. m.)

Hon. E. M. STANTON:

The Eighth Cavalry is over full. I think I can raise speedily another cavalry regiment. Shall I do so?

SAML. J. KIRKWOOD.

WAR DEPARTMENT,
Washington City, August 24, 1863.

Brig. Gen. GEORGE F. SHEPLEY,
Military Governor of Louisiana:

GENERAL: Information has reached this Department that the loyal citizens of Louisiana desire to form a new State constitution and to re-establish civil government in conformity with the Constitution and laws of the United States. To aid them in that purpose the President directs the following instructions to be given you:

First. You will cause a registration to be made in each parish in the State of Louisiana of all the loyal citizens of the United States in the parish as soon as it can conveniently be done after the people are relieved from the presence of the rebel troops and included within the lines occupied by the armies of the United States. This registration to include only such as shall have taken or shall take an oath of allegiance to the United States, accompanied by a declaration that the oath was taken freely and voluntarily for the purpose of reorganizing a State government in Louisiana loyal to the United States.

Second. When this registration is made, as far as practicable, you will order an election to be held, on a day fixed, not less than thirty days from the date of the proclamation of such election, for delegates to a convention of the loyal people of the State for the purpose of forming a constitution and re-establishing a civil government in the State loyal to the United States and in conformity with the Federal Constitution and laws, and for the passage of all needful ordinances and laws.

Third. This convention will be called on a basis of representation which shall allow one delegate for every 2,500 of the loyal citizens aforesaid in each parish, as shown by the census of 1860, giving at least one delegate to each parish and one delegate for each fraction of people in any parish over 1,250.

Fourth. You are authorized to appoint the officers necessary to complete such registry, to preside at the elections, to receive, sort,

count, and make returns to you of the votes and of the persons elected. The returns will be opened by you and you will make proclamation of the persons elected, notifying them to appear at the time and place of holding the convention.

Fifth. Further instructions will be given, if required, in the course of these proceedings.

EDWIN M. STANTON,
Secretary of War.

PRIVATE AND ACCIDENTAL.] EXECUTIVE MANSION,
Washington, August 24, 1863.

[Colonel FRY:]

MY DEAR COLONEL: The inevitable Waterbury is again upon us. He has changed his base. He don't like the way the thing is done.

His experience as a political ballot stuffer for twenty years comes up and troubles his dreams. He is afraid you are stuffing the draft on him.

Read his wail if you don't think life is too short and Lee too near. If you do, file it.

With a firm reliance on Providence and your waste-paper basket, you cannot fail.

I am going to the sea-shore; burst not with envy.

Yours, hilariously,

JOHN HAY.

[Inclosure.]

STATE OF NEW YORK,
JUDGE-ADVOCATE-GENERAL'S DEPARTMENT,
New York, August 19, 1863.

His Excellency ABRAHAM LINCOLN,
President of the United States:

SIR: In accordance with the wish you expressed when I saw you I inclose a printed copy of my report to His Excellency the Governor of the State of New York in relation to the enrollment under the conscription act.* He transmitted a manuscript copy to you, but the one I send is more convenient for reference, and I desire to recall some of its suggestions for your consideration.

Your Excellency will perceive that I did not fail to do full justice in the report to your assurances that the conscription should in every respect be fairly conducted. Having been liberal enough, notwithstanding my sympathy with that portion of my fellow-citizens who disapprove the policy of your Administration, to receive those assurances with entire confidence, I am entitled to ask that they shall be redeemed. In expressing my conviction that the rule adopted by the Provost-Marshal-General, sustained as it was by your assurances, would remedy the injustice of the enrollment, I added, as a necessary qualification, in case the names should be fairly drawn. The journals in the interest of your Administration did not fail to seize upon my statements in relation to yourself and Colonel Fry as representing sufficient relief from the injustice of the enrollment, nor to garnish their comments with abuse of myself for making an exposition which they claimed was thereby shown to be unnecessary. I was content to

*See inclosure, Seymour to Lincoln, August 8, p. 640.

abide their contumely, because I knew that if your assurances were fulfilled all that interests the people would be gained, and that otherwise the wrong of the enrollment would be presented yet more transparently to the public mind. Your Excellency by a reduction of 50 per cent. in the number of conscripts required from this city has conceded the inequality of the enrollment; but this reduction may be comparatively valueless to those who were subjected to the wrong unless accompanied by regulations that will give to it real efficiency.

Under the circumstances I have detailed, it is with no less surprise than regret that I learn that the draft has been conducted to-day in the Sixth Congressional District without the observance of such regulations as would have placed its fairness beyond question, and which ordinary justice, to say nothing of expectations reasonably formed, imperatively demanded. There was nothing in the manner of the drawing to-day to defeat the power of a partisan board of enrollment to make the proceeding a fraud and a farce. It is not too much to ask that a draft shall not take place in any other district until such provision is made that the public can know certainly that all the names included in the enrollment are placed in the box, and that the drawing is made by some person not selected by a partisan board.

Regulations to secure these objects are suggested on page 24 of my report. They have been approved by the press of this city, including some of the most extreme supporters of your Administration. It is fortunate that the provost-marshal in the Sixth District is a gentleman highly respected for his personal worth by all who know him, but some of the members of the various enrolling boards are not as favorably regarded. Even the provost-marshal for the Sixth District may be the instrument of wrong by the action of subordinates unknown to the public; while the opportunities for fraud, if a provost-marshal is dishonest, are almost unlimited. The draft in the several districts will hereafter be closely scrutinized, and the results will be tried by such tests as can be adduced. It is possible that they may not always rightly characterize the results; but I respectfully submit that it is not just to subject the enrolling boards to the danger of the imputations which may follow such comparisons, when by proper regulations they can be absolutely prevented. If results such as that which in the Ninth District produced scenes of violence which cannot be too greatly deplored are to be presented in other districts, they will leave feelings of bitterness and resentment behind them which all should regret. It is not probable that they would be attended by immediate demonstrations, for the late tumults have taught even the most reckless the folly of violent resistance to any proceedings sanctioned by law, however wrongful; but no man can foresee the future complications of our national perils, and it does not seem to me to be wise to leave large portions of the people under the influence of animosities engendered by a sense of wrong. As one deeply solicitous for the welfare of our country, I appeal to Your Excellency to forestall such possibilities by regulations that will render them impossible.

This appeal to Your Excellency to prescribe regulations to secure absolute fairness in the draft cannot be too earnestly pressed. The lottery which tears some of our fellow-citizens from their homes and places their lives in continual peril, strains with agonizing intensity upon the hearts of wives and children and parents as tender and as dear as those which surround any of the rulers in the land. Will

Your Excellency permit a proceeding that involves such serious issues to be placed in the secret and unrestrained power of officers who may be actuated by partisan purposes, if not by personal hatreds, especially considering that these officers are already under suspicion of wrong by reason of the inequalities of their enrollment?

Again, Your Excellency, while reducing the quotas to be drawn in several of the Congressional districts, has intimated that you would cause a new enrollment and a further draft to be made in those districts. Surely no man should be a second time subjected to such danger, unless the circumstances of the first draft are fully known and its fairness placed beyond doubt. The citizens of New York and Brooklyn may well protest with earnestness against the repeated exercise of power over them in a manner so secret and arbitrary, which is elsewhere exercised only once. Nor could His Excellency the Governor be justly asked to designate persons to supervise a second enrollment, if thereby his fellow-citizens were to be again subjected to the danger of having their names drawn from boxes which partisan officers have the power to pack.

Asking Your Excellency to ascribe any undue plainness or earnestness of language to an anxious desire that a law severe in its provisions may be administered so as to cause the least possible dissatisfaction,

I remain, very respectfully, your fellow-citizen,

NELSON J. WATERBURY.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
WESTERN DIVISION, STATE OF NEW YORK,
Elmira, August 24, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I am in receipt of yours of the 22d, marked "confidential," in regard to the draft at Syracuse. This is the state of the case: On the 22d of July I was at Syracuse and had an interview with the provost-marshal, the mayor of the city, the sheriff of the county, and a committee of the citizens, in which all the arrangements were made for commencing the draft on Wednesday following. I was to furnish a number of guns—I think 250 or 300. I was to telegraph about the guns when I received them, using the word "blanks" instead of "guns." When I reached home I was in doubt as to the number of guns I was to send.

On the 27th I telegraphed the provost-marshal as follows: "Have just received 'blanks;' are you ready for them? How many shall I send?" To this I received no answer. On the 29th I was at Lockport when I received a telegram to meet the Governor in Albany, and I left in the evening, telegraphing to Provost-Marshal Wood to telegraph me at Albany the next day when he would begin the draft; was all day in Albany, but received no dispatch. Captain Wood tells me since that he wrote to me at my hotel. I would not be likely to have received the letter, as I staid but one day. On arriving home on the 31st of July, finding nothing from Captain Wood, I telegraphed him as follows:

As soon as you can get ready you must commence the draft in your district. If you need arms, telegraph me and they shall be forwarded.

I heard nothing from Captain Wood in reply to this.

On the 2d of August I received a letter from G. N. Kennedy, of which I inclose you herewith a copy. A copy of this letter I inclosed to Captain Wood, with my letter of instructions to him, dated August 2, a copy of which I also inclose to you.

On the 5th of August I received a letter from Captain Wood, inclosing a copy of a letter which he says he sent me at Albany; also a copy of a letter to you under date of July 30, which I suppose you have to refer to. A copy of the letter to me I inclose also, dated July 30. At the same time I received a letter from him dated August 1, a copy of which I also inclose. To this letter and the inclosures I replied by letter of 5th of August, a copy of which I inclose.

On the 10th of August I received your telegram of 10th—in these words:

Is the draft going on in Onondaga County? It is reported to have been suspended. It must be carried out at once.

This I at once communicated to Captain Wood. The next day, 11th of August, I telegraphed Captain Wood as follows:

Give notice that the draft in your district will take place on the 15th instant. Arms will be sent you to-morrow.

The next day the mayor of the city of Syracuse and deputy provost-marshal called on me, and at their earnest solicitation I consented to defer the draft until the 19th, under the assurance that it should positively take place then, and I sent from Colonel Marshall's volunteers at Rochester 100 men to act as guard.

I arrived there the evening of the 18th and found the citizens of Syracuse claimed to have raised her quota and to be exempt from the draft, while the people of the county were contending before the Board that a portion of the volunteers claimed by the city were from their towns and should be credited to the towns from which they came to Syracuse to enlist, and at the request of all parties I telegraphed you for instructions.

It is contended by the mayor and the provost-marshal both that the city having raised the quota by volunteers of all kinds, without reference to whether they were enrolled men or exempts, or whether they resided in Syracuse or not, that there should be no draft for the city. I have just received from Major Ramsey, who reported to me for duty, and who I detailed to act as inspector of the draft at Syracuse, a letter, of which I inclose a copy. I have telegraphed to the provost-marshal as follows:

Don't close the draft in your district without drawing Syracuse until you hear from Provost-Marshal-General.

I hope you will give him instructions.

Very respectfully, your obedient servant,

A. S. DIVEN,
Acting Assistant Provost-Marshal-General.

[Inclosure No. 1.]

SYRACUSE, *July 30, 1863.*

Col. A. S. DIVEN:

DEAR SIR: It is understood here that an effort is being made by certain parties here to break up the arrangements made with the Governor through Colonel Fry to postpone the draft here until the 15th of August.

This cannot now be fairly done, and if done, believe me, it will prove damaging to the Union cause in this locality.

The following reasons will commend themselves to your consideration:

First. Colonel Fry promised Colonel Richardson the draft should not take place here until 15th, and our papers and people have indorsed that by giving it publicity.

Second. Under the influence of this our city council have inaugurated such measures as they think will induce volunteering, claiming in the meantime they can fill the quota without a draft.

Third. If the Government now retracts it will put its friends here in a false position and give the copperhead Democracy great advantage in the fall election by charging duplicity and unfairness on the Union party, and by appealing to young men, especially, with arguments like this:

> You or your friend would not have been drafted if the Republicans and Union men—for they are responsible of course for the action of the Government—had given us the time they promised, as we had taken the necessary steps, and would have filled the quota by volunteering.

As a politician you will readily see the power such an appeal would have.

Fourth. The delay cannot seriously prejudice the cause we all have at heart—the suppression of the rebellion; but it will instead disarm Democrats of all just cause of opposition to the draft if in the end it shall be necessary to make it, as well also their most potent argument against Union men in the fall elections.

Fifth. The evidence is strong that during the fifteen days a large number of men will volunteer, but the delay must be definitely fixed.

I understand that Colonel Richardson has about 400 men already in his cavalry regiment. There are several other persons also recruiting here and all doing quite a business.

Do not, then, unless the necessity is imperative, place us in a false position on this question, important as it is from every standpoint from which it can be viewed.

Give us the time and I think we can get more men than will be obtained by an immediate draft and the forced payment of the commutation.

This course will place the copperheads where they should be, and leave us to say: You asked for time; the Government, to be just, gave it to you; you failed in your expectations, and you cannot complain if the draft is now made.

Truly, yours,

GEO. N. KENNEDY.

[Inclosure No. 2.]

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
WESTERN DIVISION, STATE OF NEW YORK,
Elmira, August 2, 1863.

Capt. ALONZO WOOD,
Provost-Marshal, Twenty-third District of New York:

I inclose you copy of letter just received from George N. Kennedy. I know of no arrangement between the Government and Governor Seymour by which the draft in Syracuse has been postponed until the 15th, nor do I believe any such assurances were ever given by Colonel Fry, as stated in the letter of Mr. Kennedy. You may remind Mr. Kennedy that this draft is made to replenish a gallant Army depleted

by the casualties of war, and will be carried on for that purpose solely, without reference to its effects on partisan politics.

If you have orders from Colonel Fry, you will delay the draft; if not, you will proceed with it at once, and will be furnished with such aid as I can furnish you.

I have been surprised at not hearing a word from you since there. I have telegraphed you twice without receiving any answer. What does this mean?

I have the honor to be, your obedient servant,

A. S. DIVEN,

Actg. Asst. Prov. Mar. Gen., Western Division of New York.

[Inclosure No. 3.]

PROVOST-MARSHAL'S OFFICE,
TWENTY-THIRD DISTRICT, STATE OF NEW YORK,
Syracuse, July 30, 1863.

Maj. A. S. DIVEN,
Acting Assistant Provost-Marshal-General:

MAJOR: In answer to your telegram, I could be ready next Wednesday.

Colonel Richardson, who is raising volunteers under the advice of the mayor of this city, visited Washington last week and made representations to Colonel Fry that if the draft was not ordered here for a few days that, with the assistance of the city authorities, volunteers could be had to fill up the quota of the city. On his return he informed me that I might work at and correct the returns so as to make them as perfect as possible. Colonel Richardson also informed me that he had 400 volunteers, and other officers about 100 more, which, under Circular No. 30, should be credited to the different subdistricts in this district, and that the work of enlistment is steadily going on.

I herewith inclose one to Colonel Fry, which please forward to him.

I am, sir, very respectfully, your obedient servant,

ALONZO WOOD,
Captain and Provost-Marshal.

[Inclosure No. 4.]

PROVOST-MARSHAL'S OFFICE,
TWENTY-THIRD DISTRICT, STATE OF NEW YORK,
Syracuse, August 1, 1863.

Maj. A. S. DIVEN,
Actg. Asst. Provost-Marshal-General, Elmira, N. Y.:

MAJOR: On receipt of your telegram from Rochester I immediately wrote to you at the Delavan House, Albany, a copy of the letter I herewith inclose.

Last night about 9 o'clock I received your telegram from Elmira as to arms and ammunition. The sheriff informed me a few days since that he did not wish to take charge of them more than a day or two before the draft was to commence.

I am, sir, very respectfully, your obedient servant,

ALONZO WOOD,
Capt. and Prov. Mar., Twenty-third District of New York.

[Inclosure No. 5.]

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
WESTERN DIVISION, STATE OF NEW YORK,
Elmira, August 5, 1863.

Capt. ALONZO WOOD,
Prov. Mar., Twenty-third District, Syracuse, New York:

CAPTAIN: I am in receipt of your favor of August 1, inclosing copy of letter to me at Albany and a letter to Colonel Fry. The latter has been duly forwarded to him. You mistake the meaning of Circular No. 30. This applies to men who are enrolled and who enlist before the draft is ordered.

I have seen Colonel Fry, Provost-Marshal-General, and find that no instructions or orders have been given by him postponing the draft in your district. You will forthwith make everything ready to proceed with the draft without delay and have it commenced as soon as the beginning of the coming week.

I will see that arms and ammunition are forwarded to you so soon as you shall name what number you require.

Very respectfully, your obedient servant,

A. S. DIVEN,
Actg. Asst. Prov. Mar. Gen., Western Division of New York.

[Inclosure No. 6.]

PROVOST-MARSHAL'S OFFICE,
TWENTY-THIRD DISTRICT, STATE OF NEW YORK,
Syracuse, August 21, 1863.

Maj. A. S. DIVEN,
Acting Assistant Provost-Marshal-General:

SIR: The Board this day closed up the draft in Cortland County, drafting 657 men. Everything passed off quietly. The draft is now closed in this district, except the city of Syracuse; they did not close, and formally adjourned. The city claims that under the call they are full; but they have only shown that about one-half the number of men required from the city have been mustered into the service. They claim and promise they will have the others mustered in on Monday, so as to relieve them from the draft. The draft here has been conducted fairly. I have been present all the time, and all the people in attendance, so far as I have been able to get an expression of opinion, are perfectly satisfied with the fairness of the draft. They have notified the first squad of conscripts to appear on Thursday next, and are notifying for them to appear daily until all are examined.

I shall await your orders, and unless I receive some special instructions from you shall not again report until the first of the week, without something new transpires.

I was informed to-day by Mr. George N. Kennedy, who I am informed by Captain Wood [*sic*] that there is probably all sorts of rascality practiced by the Board at Oswego; that the current reports are that conscripts buy themselves off; that no men of any consequence will be obtained. These conscripts say that for $25 they can get off. This is not covered by my instructions in coming here, but I thought it my duty to report the same to you.

Respectfully, your obedient servant,

SILAS RAMSEY,
Major and Aide-de-Camp.

EXECUTIVE MANSION,
Washington, D. C., August 25, 1863.

Ordered:

1. That clearances issued by the Treasury Department for vessels or merchandise bound for the port of New Orleans for the military necessities of the department, certified by Brigadier-General Shepley, the Military Governor of Louisiana, shall be allowed to enter said port.

2. That vessels and domestic produce from New Orleans, permitted by the Military Governor of Louisiana at New Orleans, for the military purpose of his department, shall, on his permit, be allowed to pass from said port to its destination to any port not blockaded by the United States.

A. LINCOLN.

PROVOST-MARSHAL-GENERAL'S OFFICE,
August 25, 1863.

His Excellency the GOVERNOR OF IOWA,
Davenport:

Your telegram requesting authority to raise another cavalry regiment received. Department will give you an answer at an early date.

J. B. FRY,
Provost-Marshal-General.

HDQRS. ACTG. ASST. PROVOST-MARSHAL-GENERAL
FOR KANSAS, NEBRASKA, COLORADO, AND DAKOTA,
Leavenworth City, August 25, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to submit for your information the following brief report of facts connected with the destruction of Lawrence, and the books, records, and enrollment lists of the provost-marshal's office for the Southern District of Kansas.

I make this report from personal observation, as I was in Lawrence on the morning of the massacre and barely escaped the clutches of the guerrillas.

The attack was made by the notorious guerrilla chief Quantrill, with a force of about 300 men, at sunrise on the morning of Friday, the 21st instant.

The guerrillas entered the city from the south, and at once commenced an indiscriminate murder of its citizens. The work of death was continued for three hours, and whenever a citizen made his appearance, or escaped from a burning building, he was shot down in the streets.

Fires were set to buildings in all parts of the town, and all the business portion of the city and many of the private residences were burned. In many instances men were murdered in their homes in the presence of their wives and children, and the dead bodies burned. With the exception of those who were shot down in attempting to escape, the citizens were first robbed and then murdered.

Up to the present time 150 dead bodies have been found, and many more will doubtless be found in the ruins.

The provost-marshal's office, with all the records, papers, and enrollment lists, was entirely destroyed, and Captain Banks was taken prisoner and held during the occupancy of the town.

The value of the property destroyed will reach $2,000,000, and the money secured by the guerrillas cannot be less than $100,000.

A fearful state of excitement exists throughout the State of Kansas, and the people are unanimous in attributing the Lawrence massacre, and the present deplorable state of affairs upon the border, to the policy now being pursued by the commander of the Department of the Missouri.

The guerrillas have been largely re-enforced by men from Price's army, and have never been so active and defiant as now. From this time forward the war on this border promises to be one of extermination. Two or three thousand of the citizens of Kansas are in arms, and bidding defiance to the policy of General Schofield and General Ewing. They are determined to invade Missouri for retaliation. I am of the opinion that this result will be inevitable, taking into consideration the determined character of the people of Kansas, growing out of a long border contest, intensified by the massacre without parallel in the history of civilized warfare.

I have deemed this statement necessary to a full understanding of the peculiar condition of affairs in Kansas, and which must necessarily affect the administration of this bureau.

Asking for such instructions as you may think necessary,

I am, colonel, very respectfully, your obedient servant,

SIDNEY CLARKE,

Captain and Actg. Asst. Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 25, 1863.

Col. ROBERT NUGENT,

Actg. Asst. Provost-Marshal-General, New York City:

Go on with the draft in all your districts as fast as you are ready, without waiting for any further orders from me, provided everything is right. We want it over now as soon as practicable.

JAMES B. FRY,

Provost-Marshal-General.

EXECUTIVE MANSION,
Washington, D. C., August 26, 1863.

Honorable SECRETARY OF WAR:

SIR: In my correspondence with Governor Seymour in relation to the draft I have said to him, substantially, that credits shall be given for volunteers up to the latest moment, before drawing in any district, that can be done without producing confusion or delay. In order to do this, let our mustering officers in New York and elsewhere be at once instructed that whenever they muster into our service any number of volunteers, to at once make return to the War Department, both by telegraph and mail, the date of the muster, the number mustered, and the Congressional or enrollment district or districts, of their residences, giving the numbers separately for each district. Keep these returns diligently posted, and by them give full credit on the quotas, if possible, on the last day before the draft begins in any district.

Again, I have informed Governor Seymour that he shall be notified of the time when the draft is to commence in each district in his State.

This is equally proper for all the States. In order to carry it out, I propose that, so soon as the day for commencing the draft in any district is definitely determined, the Governor of the State including the district be notified thereof, both by telegraph and mail, in form about as follows:

——— ———,
———, *1863.*

Governor of ———,
——— ———:

You are notified that the draft will commence in the ——— ——— district, at ———, on the —— day of ———, 1863, at —— a. m. of said day.
Please acknowledge receipt of this by telegraph and mail.

——— ———,
——— ———.

This notice may be given by the Provost-Marshal-General here, the sub-provost-marshals-general in the States, or perhaps by the district provost-marshals.

Whenever we shall have so far proceeded in New York as to make the re-enrollment specially promised there practicable, I wish that also to go forward, and I wish Governor Seymour notified of it, so that if he choose he can place agents of his with ours to see the work fairly done.

Yours, truly,

A. LINCOLN.

HEADQUARTERS DEPARTMENT OF THE TENNESSEE,
Memphis, Tenn., August 26, 1863.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.:

Since the forces under my command moved south of Helena, Ark., I have prohibited trade with citizens entirely, because it would be better for our cause if this prohibition was general with all the States in rebellion. Trade, however, has been opened, under restrictions, I believe, in all the departments except this, and in this as far down as Helena. Under these circumstances I do not know but it would be advisable to open up means for those persons living within the States of Mississippi and Louisiana to obtain the necessaries of life and indispensable articles of clothing, &c. If trade is opened under any general rule, all sorts of dishonest men will engage in it, taking any oath or obligation necessary to secure the privilege. Smuggling will at once commence, as it did at Memphis, Helena, and every other place where trade has been allowed within the disloyal States, and the armed enemy will be enabled to procure from Northern markets every article they require.

In view of all these facts, I would recommend the appointment of a post sutler for each post occupied in those parts of the country where trade has not been opened, and authorize them to keep such articles as it is desirable should be supplied to citizens within our lines. Such persons would be under military control, and, being limited in number, such precautions might be taken as would prevent improper trade.

U. S. GRANT,
Major-General.

OFFICE OF COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., August 26, 1863.

Maj. Gen. W. S. ROSECRANS,
Comdg. Dept. of the Cumberland, Murfreesborough, Tenn.:

The Secretary of War directs that hereafter no prisoners of war be enlisted in our Army without his special sanction in each case.

W. HOFFMAN,
Col. Third Infantry, Commissary-General of Prisoners.

(Same to Generals Dix, Morris, and Schofield.)

STATE OF INDIANA,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Indianapolis, August 26, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: I have the honor to herewith transmit a copy of a report of Capt. James Park, provost-marshal, Eighth District of Indiana, relative to mob violence at Danville, Ill., and the military aid sent by Captain Park from this State. I have written to Captain Park, approving his action in the premises.

I have the honor to be, colonel, very respectfully, your obedient servant,

CONRAD BAKER,
Colonel and Actg. Asst. Prov. Mar. Gen. for Indiana.

[Inclosure.]

OFFICE PROV. MAR., EIGHTH DISTRICT, STATE OF INDIANA,
La Fayette, Ind., August 25, 1863.

COLONEL: Last evening (24th) about 7 o'clock I received the following dispatch:

DANVILLE, ILL., *August 24.*

PROVOST-MARSHAL LA FAYETTE:

Mob violence is raging here. Three of our citizens have been killed, many wounded. Can you send fifty armed soldiers by the 10 o'clock train to-night?

FITHIAN,
Captain and Provost-Marshal.

In addition to this word was brought on the evening train that the provost-marshal at Danville and his office was in great danger. Having no time to send word to you, and it being dark, I acted on my own judgment. I called upon the colonel of the One hundred and fourth Regiment for 100 picked men and forty rounds of ammunition. The call was immediately filled and the men ready. The Wabash and Toledo Railroad Company furnished me with a special train, and we started at half-past 9. We reached Danville before 1 o'clock this morning, met the provost-marshal, and tendered the 100 soldiers under the command of Captain Dutch to the marshal. The soldiers were quartered at a safe and convenient place by the provost-marshal's office. There was much excitement, five persons then dead and more dangerously wounded, a large number, said to be 400 men, armed, close to the town, threatening to destroy the town and have revenge on the marshal unless he should obey their demands. I left Danville this morning at half-past 5 and arrived at headquarters by 7, being absent only about ten hours during the night. I left the men at Danville under the control of the marshal. They will probably return

this evening, as troops are expected from Springfield to-day. I do not apprehend any conflict, as 100 bayonets have great moral power over copperheads.

I have given you this statement and wish to know if under the circumstances I did right. I looked upon it as a case of emergency; hence I sent the men and went myself to see that they were placed under the proper officer.

Very respectfully, your obedient servant,

JAMES PARK,
Captain and Provost-Marshal, Eighth District of Indiana.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
NORTHERN DIVISION, STATE OF NEW YORK,
Albany, August 26, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to inclose a recapitulation of the enrollment of the Fourteenth District, and to request that an order for the draft in this district may be sent to this office at once.

It perhaps is proper to call the attention of the department to the fact that the public of this city entertain the idea that in the computation of the quota of the district an allowance will be made for the men who have enlisted since the passage of the enrollment act and up to the time of the computation of the quota. I have been absent for four days at Watertown, Malone, and Plattsburg, making preparations for the draft in the former place and in the two latter places investigating the charges of fraud in the matter of accepting disabled substitutes and drafted men, and did not learn of the prevalence of this idea until my return this morning, when the provost-marshal of this district, Captain Cole, informed me that some publication had been made in the papers of the city since my absence, referring to the fact that there would be probably no draft for Albany city, as the adjutant-general of the State had discovered that the city had more than supplied its quota by enlistment, &c. I send herewith an advertisement taken from one of the Albany papers this evening, out of which the idea has probably arisen.

I also desire to state that for the execution of the draft here the presence of 1,000 troops and a section of artillery is needed. I shall apply for the same to Major-General Dix at the proper time, which shall be at the earliest moment possible.

I am, sir, very respectfully, &c.,

FREDK. TOWNSEND,
Major, U. S. Army, Actg. Asst. Provost-Marshal-General.

[Indorsement.]

AUGUST 28, 1863.

Respectfully referred to the Provost-Marshal-General. Major Townsend has been notified that the quota of the Fourteenth District will be computed and the order for the draft sent in a few days. The military force requested should therefore be sent by the time that the draft will commence.

HENRY E. MAYNADIER,
Captain, U. S. Army.

[Inclosure.]

EXECUTIVE NOTICE.

The towns, cities, and counties which claim credits upon the number of conscripts to be drawn from them on account of volunteers heretofore furnished should send the list of such volunteers to the executive chamber at once.

By order of the Governor.

OFFICE DEPUTY PROV. MAR. FOR COSHOCTON COUNTY, OHIO,
Coshocton, August 26, 1863.

Capt. JOHN A. SINNET,
Provost-Marshal, Thirteenth District of Ohio:

DEAR SIR: On Sunday last I commenced the organization of a posse of citizens to assist me in capturing some drafted men (who had never reported) in Crawford Township, this county. By Monday evening following I had the party completely organized; but a heavy rain-storm caused me to delay the expedition until Tuesday evening, when I started with about twenty picked men, armed with revolvers only, some of which were of an indifferent character. I am greatly in need of arms. The nature of the country through which we had to pass and the localities of the men we sought to arrest made it necessary, as I thought, to divide the grand posse comitatus into two divisions, one of which I took to work on the main Bedford road, intrusting the other to Major Morrison, to work on the road from Chili to Bedford.

My party searched the dwellings, barns, milk-houses, chicken-coops, &c., on Bedford road, where we suspected deserters to be secreted, but failed to find any. They were out visiting that night or hid in the woods and caves.

Major Morrison and his party were more successful. The first barn they searched disclosed two men, Lewis Wens and John Sower, who gave battle most desperately. They sprang from their hiding places and got the first fire upon our men, killing Reuben Stafford almost instantly. Our boys then went in on their muscle, killing one man outright (John Sower) and mortally wounding another (Lewis Wens).

Samuel Taylor, one of our men, was severely wounded by a pistol shot in the side. He will recover in a short time, it is thought by his physician.

Our boys fought nobly, and the conduct of the whole party throughout the entire expedition was of the most unexceptionable character, and but for the loss of Stafford and the wounding of Taylor I could be well satisfied with the expedition.

After the fight Major Morrison and party advanced to the town of Bedford to get a wagon to carry away the dead body of Stafford. At Bedford, through representations of friendly citizens, he was led to fear the deserters and their friends in that township would congregate (now that the ball had been opened) in sufficient force to overpower his small party, and he determined to form a junction with my party, which was expected about an hour before daybreak. The united party then took a vote whether to go to the battle-field and carry away the dead man (Stafford) or to return to Coshocton for re-enforcements. I am delighted to say that the former policy was

adopted, in the execution of which we found the people much excited, considerably scared, and not at all disposed to fight. We arrived at Chili at about 9 a. m., where the men were breakfasted and the horses fed; after which, feeling confident that the deserters had either left the country, or so hid themselves as to make their capture almost impossible that day, I determined to return to Coshocton and await a more favorable opportunity to take them.

I think this fight will have a good effect in this county. Loyal men are fully aroused now to the importance of having the deserters captured, and the deserters and their friends will have learned that arresting parties carry guns and are not afraid to use them. I shall be after them (the deserters) soon again. They have got to come in now or leave the country.

Very truly, yours,

WM. A. JOHNSTON,
Deputy Provost-Marshal for Coshocton County.

P. S.—I must have arms, or an armed party, to do my work with.
W. A. J.

[First indorsement.]

HEADQUARTERS THIRTEENTH DISTRICT OF OHIO,
Newark, Ohio, August 28, 1863.

Respectfully referred to Colonel Parrott for his information.

On Monday I will report what is necessary to carry out plans to arrest the drafted men and deserters in that county.

JOHN A. SINNET,
Captain and Provost-Marshal.

[Second indorsement.]

OFFICE ACTG. ASST. PROV. MAR. GEN. FOR OHIO,
Columbus, Ohio, September 1, 1863.

Respectfully forwarded for the information of the Provost-Marshal-General.

Sower and Wens, the men killed, were drafted from Crawford Township, Coshocton County, in the fall of 1862 and never reported.

ED. A. PARROTT,
Colonel First Ohio Infantry, A. A. P. M. G. for Ohio.

VERMONT.

(Supplementary to Exhibit of May 14, 1863.)

Due:	
Quotas 1861 and 1862	13,848
Excess	13
Total	13,861
Furnished:	
By statement May 14	13,247
By examination of regimental records other than muster-in rolls, and not previously credited	614
Total	13,861

NINE-MONTHS.'

Due:	
Quota	4,898
Furnished:	
By statement May 14	4,781
By examination of records of nine-months' regiments and not previously credited	63
Deficiency	54
Total	4,898

NOTE.—54 nine-months'=13½ three-years.' Excess of three-years' and deficiency nine-months' therefore balanced.

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
August 26, 1863.

CIRCULAR No. 78. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., August 27, 1863.*

The following opinions of Col. Joseph Holt, Judge-Advocate-General, are published for the information and guidance of all officers of this Bureau.

With regard to the residence of a widow who is aged or infirm, and desires to have one of her two sons subject to draft exempted.

Opinion.—The right of a widow who is aged or infirm to have one of her two sons subject to draft exempted does not depend, under the law, on the place of her residence. The act imposes no such restriction. Such a mother's claim to be supported by one of her sons, and the moral obligation of the son to furnish such support, are recognized as resting on sympathies inseparable from the race and honorable to it, and which are to be respected irrespective of State or national lines. Should one of these two sons not be subject to draft, the other cannot be exempted unless his widowed mother is dependent on his labor for her support.

In the case of two or more sons of aged or infirm parents subject to draft not of one household.

Opinion.—Under the fourth clause of second section of the enrollment act it is not necessary that the two or more sons of aged or infirm parents subject to draft should be of one household in order to entitle the parent or parents to elect one of them for exemption. The practical operation of this clause is certainly open to abuses and frauds, which the boards should guard against as best they can. It would be a justifiable precaution in such cases to require the parent making the election to accompany it with an affidavit that no claim to exemption has been preferred by him or her, on behalf of either of the other sons. This would probably protect the Government from the fraud of having more than one exemption claimed where the sons reside in different States, or within the jurisdiction of different boards of enrollment.

Boards of enrollment will, in the case referred to, require the affidavit suggested by the Judge-Advocate-General.

In the case of parents having one son in the Army and one at home, and are not dependent on the labor of the latter for their support.

Opinion.—If parents have one son in the Army and one at home, and are not dependent on his labor for their support, the son at home cannot be exempted. The right of aged or infirm parents to elect which of two sons shall be exempt exists only when both of these sons are subject to draft, which is certainly not the case when one is already in the service.

In the case of a drafted man who fails to report and is arrested as a deserter.

Opinion.—The thirteenth section of the enrolling act declares that a deserter of this class when arrested shall be "sent to the nearest military post for trial by court-martial, unless, upon proper showing that he is not liable to do military duty, the Board of Enrollment shall relieve him from the draft." The language indicates clearly the disposition to be made of the party, and also recognizes his right, if he wishes it, to appear before the Board of Enrollment, and insist upon his exemption.

JAMES B. FRY,
Provost-Marshal-General.

EXECUTIVE MANSION,
Washington, D. C., August 27, 1863.

His Excellency HORATIO SEYMOUR,
Governor of New York:

Yours of the 21st, with exhibits, was received on the 24th.*

In the midst of pressing duties I have been unable to answer it sooner. In the meantime the Provost-Marshal-General has had access to yours, and has addressed a communication in relation to it to the Secretary of War, a copy of which communication I herewith inclose to you.†

Independently of this I addressed a letter on the same subject to the Secretary of War, a copy of which I also inclose to you.‡ The Secretary has sent my letter to the Provost-Marshal-General, with directions that he adopt and follow the course therein pointed out. It will, of course, overrule any conflicting view of the Provost-Marshal-General, if there be such.

Yours, very truly,

A. LINCOLN.

P. S.—I do not mean to say that if the Provost-Marshal-General can find it practicable to give credits by sub-districts I overrule him in that. On the contrary, I shall be glad of it; but I will not take the risk of overburdening him by ordering him to do it.

A. L.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 27, 1863.

Maj. O. A. MACK,
Actg. Asst. Provost-Marshal-General, Concord, N. H.:

You will in every case notify the Governor of your State in advance, both by telegraph and mail, of the precise day upon which the draft will commence in each of the districts under your charge. Direct your provost-marshals to do the same.

JAMES B. FRY,
Provost-Marshal General.

(Same to Colonels Alexander, Missouri; Conrad Baker, Indiana; Lieutenant-Colonel Bomford, Pennsylvania; R. C. Buchanan, New Jersey; Captain Clarke, Kansas; Lieutenant-Colonel Darr, West Virginia; Major Diven, New York; Thomas Duncan, Iowa; Lieutenant-Colonel Hill, Michigan; Major Jeffries, Maryland;

*See p. 703. †See August 27, p. 728. ‡See August 26, p. 720.

Lieutenant-Colonel Lovell, Wisconsin; Colonel Nugent, New York City; Lieutenant-Colonel Oakes, Illinois; Colonel Parrott, Ohio; Captain Saunders, Minnesota; Major Sidell, Kentucky; Major Townsend, New York.)

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 27, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I have the honor to submit herewith copies of letters addressed by me to His Excellency Governor Seymour,* notifying him of the orders for draft in the different districts of New York as they were issued from this office. These letters of notification to the Governor were forwarded to him on the same day the orders to make the draft were sent to the provost-marshals. The particular days on which the drawings were to take place in the different districts could not be designated at this office (except in one case, in New York, and of that day the Governor was duly notified). They necessarily depended on the state of preparation and the activity of the provost-marshals; but as soon as each provost-marshal could fix the day it was publicly announced in the newspapers, and thus became known to all.

The provost-marshals-general of the State, who have instructions to confer freely with the Governor, and who have taken the proper initiatory steps toward doing so, and with whom the Governor was requested to confer in matters relating to this Bureau, would at any time have informed the Governor of all particulars connected with the draft with which he was not acquainted if he had made known a desire for more specific information than was communicated.

In the case of New York City, where the day for resuming the drawing was fixed by this department, I notified the Governor, as will be seen by my letter of August 17, 1863 (copy herewith).

Exactly the same course has been pursued in notifying the Governors of other States in regard to the draft in their States, and, so far as I have heard, the information thus afforded, with such particulars as they procured through the provost-marshals-general of States, has proved sufficient and satisfactory.

In relation to giving credit on the draft for volunteers furnished, I see at present but one practicable rule, and that is now in use. It is to give credit to the State for all the volunteers she may have furnished up to the time of making up the quotas for draft, and having thus determined the credit of the State to apportion it among the districts according to their enrollment.

I hope to get at some future time information sufficiently accurate and definite to credit each Congressional district, and possibly each enrollment sub-district, with the number of volunteers it may furnish; that is to say, keep an account of volunteers, as well as of drafted men, with these sections; but under the present draft it cannot be done. The Governor states: "New York has paid bounties to about 9,000 volunteers since the 1st of January last," and asks, "In what way are they to be credited to the State?" and again says: "The city of New York has sent about 3,000 volunteers into the Army since the 1st day of January last. I think none of these have been credited to that city."

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*Not found or otherwise identified as inclosures, but see Fry to Seymour, preceding pages.

As I have before reported, all the men furnished by New York up to the time of making up the quotas for draft June 11 were credited to the State and deducted from the quotas. The number of volunteers furnished by New York between January 1 and July 9 is 6,922, as shown by my report of August 10. Assuming the Governor's statement that "the State has paid bounties to about 9,000 volunteers between the 1st of January" and this time, say 21st of August, as proving that that many had been mustered in, it will appear probable that so far as we are able to judge from the data at hand about 2,000 men have been furnished since the quotas were made up, and for this number, not a very large one, the State of New York cannot receive credit until the making up of quotas for the next draft. It is very plain that if a draft is to take place there must be some time adopted for closing up the account of volunteers to be credited, and the right and proper time is the time when quotas are made up.

I never received and never saw a letter from Governor Seymour of the 12th instant, a copy of which is appended to the Governor's letter of the 21st instant to the President.* Since reading the copy of said letter I have had special search made through my office, and find nothing to indicate that such a communication ever reached this department. The questions presented in that letter as understood from the copy are answered by the statements hereinbefore made, viz, that credits for volunteers are given to the State up to the time that quotas for draft are made up; that said credits are prepared in the War Department from the records of that Department.

The letter of Inspector-General Miller, dated August 10 and addressed to me, depicting the "outrages," as he terms them, committed upon New York by agents from other States in the matter of procuring recruits and substitutes, asking that a general order be published to prevent the same, was duly received. It had never occurred to me that the practice complained of, which is general throughout the United States, was especially outraging New York. I knew, however, that the subject was one of interest and importance and I had for a long time had it under consideration. Immediately on receipt of Inspector-General Miller's letter it was referred to Colonel Holt, Judge-Advocate-General, for his opinion as to the legality and propriety of an order such as General Miller presented. The paper was returned to me on the 24th instant indorsed as follows:

JUDGE-ADVOCATE-GENERAL'S OFFICE,
August 24, 1863.

The position taken by the Governor of New York is not regarded as sustained either by the letter or spirit of the enrollment act. The State in which a drafted man is enrolled is necessarily credited with one soldier, whether such drafted man enters the service personally, or furnishes a substitute, or pays the commutation money. If such person employs a substitute and that substitute chances to be from another State, then this latter State, according to the Governor's view, must also be credited with one soldier, so that the practical operation of the rule would be to debit the Government with two soldiers, when in fact it receives but one. Such an interpretation should not be allowed to prevail, since it has no foundation in reason and is in derogation of the leading object of the enrollment act, which is to provide an army for the public defense, an object that would be but illy accomplished if in the computation one soldier is to be counted to the Government as two.

J. HOLT,
Judge-Advocate-General.

I am, very respectfully, your odedient servant,

JAMES B. FRY,
Provost-Marshal-General.

* See inclosure No. 1, p. 705.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
NORTHERN DIVISION, STATE OF NEW YORK,
Albany, August 27, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

I have the honor to acknowledge the receipt of a telegram of this date from the Provost-Marshal-General directing that the Governor of this State be notified "in advance, both by telegraph and mail, of the precise day upon which the draft will commence in each district under your (my) charge," and that provost-marshals be notified to do the same. I should have hitherto performed this duty had I not supposed that the communications addressed to the Governor, informing him of the contemplated draft in the respective districts, from the Provost-Marshal-General's Office, transmitted through this office in the inclosures containing the orders for draft, rendered such a course on my part supererogatory. While I was in Oswego and in Schenectady prosecuting the draft in those cities for their respective districts orders for drafts in several districts arrived at this office, as I had requested, but without the usual letters to the Governor. Of the absence of these letters I was not made aware until upon inquiry to-day of Lieutenant Chur, who was in charge of the office during my absence.

I inclose a copy of a letter to the Governor in reference to the draft in Oswego and a copy of a dispatch received from the Provost-Marshal-General's Office while in Schenectady, stating that the Provost-Marshal-General would notify the Governor in relation to the draft there, and an extract from a letter from same office, of the 3d instant, inclosing orders for draft in the Twelfth, Eighteenth, Nineteenth, and Twentieth Districts, as follows:

> You will not commence the draft in any of the above districts without first notifying me by telegraph that you are ready to do so, in order that I may inform the Governor.

This extract was underscored in the original, and pursuant to which I notified the Provost-Marshal-General by telegraph and mail, on the 20th instant, that the draft would take place in the Nineteenth District on the 24th instant and in the Twentieth District on the 25th instant. I am thus explicit that the Provost-Marshal-General may be informed that hitherto I have had reason to believe that notifications to the Governor, as now directed, was no part of my duty.

I am, sir, very respectfully, your obedient servant,
FREDK. TOWNSEND,
Major, U. S. Army, Actg. Asst. Provost-Marshal-General.

[Inclosure No. 1.]

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
NORTHERN DIVISION, STATE OF NEW YORK,
Albany, August 3, 1863.

His Excellency HORATIO SEYMOUR,
Governor of New York, Albany, N. Y.:

GOVERNOR: The inclosed letter has been retained by me, having been received during the continuance of the riot in New York City.

The Provost-Marshal-General was informed that I had retained the orders for draft. A draft will take place in Oswego to-morrow.

I am, sir, very respectfully, &c.,
FREDK. TOWNSEND,
Major, U. S. Army, Actg. Asst. Provost-Marshal-General.

[Inclosure No. 2.]

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 7, 1863.

Maj. F. TOWNSEND,
Actg. Asst. Prov. Mar. Gen., Schenectady, N. Y.:

If you think best, go on with the draft. I will dispatch Governor Seymour.

JAMES B. FRY,
Provost-Marshal-General.

OFFICE PROVOST-MARSHAL-GENERAL,
SOUTHERN DIVISION OF NEW YORK,
New York, August 27, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I have the honor to acknowledge the receipt of telegram this p. m. instructing me to notify the Governor of the State of the precise time when the draft will commence in each of the districts, and to say in reply that I have so informed the Governor and also instructed the provost-marshals of the First, Third, and Second Districts to do likewise, these being the only districts in this division where the drawing has not taken place with the exception of the Tenth, where the enrollment is incomplete.

I am, colonel, very respectfully, your obedient servant,

ROBERT NUGENT,
Col. Sixty-ninth N. Y. Vols. and Actg. Asst. Prov. Mar. Gen.

PRIVATE.] WAR DEPARTMENT,
Washington City, D. C., August 27, 1863.

MY DEAR CONKLING: I cannot leave here now. Herewith is a letter instead. You are one of the best public readers. I have but one suggestion—read it very slowly. And now God bless you, and all good Union men.

Yours, as ever,

A. LINCOLN.

[Inclosure.]

EXECUTIVE MANSION,
Washington, August 26, 1863.

Hon. JAMES C. CONKLING:

MY DEAR SIR: Your letter, inviting me to attend a mass meeting of Unconditional Union men, to be held at the capital of Illinois on the 3d day of September, has been received. It would be very agreeable to me, to thus meet my old friends, at my own home; but I cannot, just now, be absent from here, so long as a visit there, would require.

The meeting is to be of all those who maintain unconditional devotion to the Union; and I am sure my old political friends will thank me for tendering, as I do, the Nation's gratitude to those other noble men, whom no partisan malice, or partisan hope, can make false to the Nation's life.

There are those who are dissatisfied with me. To such I would say: You desire peace; and you blame me that we do not have it. But how can we attain it? There are but three conceivable ways. First, to suppress the rebellion by force of arms. This I am trying to do. Are you for it? If you are, so far we are agreed. If you are not for it, a second way is to give up the Union. I am against this. Are you for it? If you are, you should say so plainly. If you are not for *force*, nor yet for *dissolution*, there only remains some imaginable *compromise*. I do not believe any compromise, embracing the maintenance of the Union, is now possible. All I learn, leads to a directly opposite belief. The strength of the rebellion, is its military—its army. That army dominates all the country, and all the people, within its range. Any offer of terms made by any man or men within that range, in opposition to that army, is simply nothing for the present; because such man or men, have no power whatever to enforce their side of a compromise, if one were made with them. To illustrate—Suppose refugees from the South, and peace men of the North, get together in convention, and frame and proclaim a compromise embracing a restoration of the Union; in what way can that compromise be used to keep Lee's army out of Pennsylvania? Meade's army can keep Lee's army out of Pennsylvania; and I think, can ultimately drive it out of existence. But no paper compromise, to which the controllers of Lee's army are not agreed, can, at all, affect that army. In an effort at such compromise, we should waste time, which the enemy would improve to our disadvantage; and that would be all. A compromise, to be effective, must be made either with those who control the rebel army, or with the people first liberated from the domination of that army, by the success of our own army. Now, allow me to assure you, that no word or intimation from that rebel army, or from any of the men controlling it, in relation to any peace compromise, has ever come to my knowledge or belief. All charges and insinuations to the contrary, are deceptive and groundless. And I promise you that if any such proposition shall hereafter come, it shall not be rejected and kept a secret from you. I freely acknowledge myself the servant of the people, according to the bond of service—the United States Constitution; and that, as such, I am responsible to them.

But to be plain, you are dissatisfied with me about the negro. Quite likely there is a difference of opinion between you and myself upon that subject. I certainly wish that all men could be free, while I suppose you do not. Yet I have neither adopted, nor proposed any measure, which is not consistent with even your view, provided you are for the Union. I suggested compensated emancipation; to which you replied you wished not to be taxed to buy negroes. But I had not asked you to be taxed to buy negroes, except in such way, as to save you from greater taxation to save the Union exclusively by other means.

You dislike the emancipation proclamation; and perhaps would have it retracted. You say it is unconstitutional. I think differently. I think the Constitution invests its Commander-in-Chief with the law of war in the time of war. The most that can be said,—if so much,—is that slaves are property. Is there—has there ever been—any question that by the law of war, property, both of enemies and friends, may be taken when needed? And is it not needed whenever taking it, helps us, or hurts the enemy? Armies, the world over, destroy enemies' property when they cannot use it; and even destroy [illegible]own to keep it from the enemy. Civilized belligerents do all in

their power to help themselves, or hurt the enemy, except a few things regarded as barbarous or cruel. Among the exceptions are the massacre of vanquished foes, and non-combatants, male and female.

But the proclamation, as law, either is valid, or is not valid. If it is not valid, it needs no retraction. If it is valid, it cannot be retracted, any more than the dead can be brought to life. Some of you profess to think its retraction would operate favorably for the Union. Why better *after* the retraction than *before* the issue? There was more than a year and a half of trial to suppress the rebellion before the proclamation issued, the last one hundred days of which passed under an explicit notice that it was coming, unless averted by those in revolt, returning to their allegiance. The war has certainly progressed as favorably for us, since the issue of the proclamation as before. [I know, as fully as one can know the opinions of others, that some of the commanders of our armies in the field, who have given us our most important successes, believe the emancipation policy and the use of colored troops constitute the heaviest blow yet dealt to the rebellion, and that at least one of those important successes could not have been achieved when it was but for the aid of black soldiers. Among the commanders holding these views are some who have never had any affinity with what is called abolitionism, or with Republican party politics, but who hold them purely as military opinions. I submit these opinions as being entitled to some weight against the objections often urged that emancipation and arming the blacks are unwise as military measures, and were not adopted as such in good faith.*] You say you will not fight to free negroes. Some of them seem willing to fight for you; but, no matter. Fight you, then, exclusively to save the Union. I issued the proclamation on purpose to aid you in saving the Union. Whenever you shall have conquered all resistance to the Union, if I shall urge you to continue fighting, it will be an apt time, then, for you to declare you will not fight to free negroes.

I thought that in your struggle for the Union, to whatever extent the negroes should cease helping the enemy, to that extent it weakened the enemy in his resistance to you. Do you think differently? I thought that whatever negroes can be got to do as soldiers, leaves just so much less for white soldiers to do, in saving the Union. Does it appear otherwise to you? But negroes, like other people, act upon motives. Why should they do anything for us, if we will do nothing for them? If they stake their lives for us, they must be prompted by the strongest motive—even the promise of freedom. And the promise being made, must be kept.

The signs look better. The Father of Waters again goes unvexed to the sea. Thanks to the great Northwest for it. Nor yet wholly to them. Three hundred miles up, they met New England, Empire, Keystone, and Jersey, hewing their way right and left. The Sunny South, too, in more colors than one, also lent a hand. On the spot, their part of the history was jotted down in black and white. The job was a great national one; and let none be banned who bore an honorable part in it. And while those who have cleared the great river may well be proud, even that is not all. It is hard to say that anything has been more bravely and well done than at Antietam, Murfreesborough, Gettysburg, and on many fields of lesser note. Nor

* The portion inclosed in brackets was inserted after the original letter had been mailed. See Lincoln to Conkling, August 31, p. 739.

must Uncle Sam's web-feet be forgotten. At all the watery margins they have been present. Not only on the deep sea, the broad bay, and the rapid river, but also up the narrow, muddy bayou, and wherever the ground was a little damp they have been, and made their tracks. Thanks to all. For the great Republic—for the principle it lives by, and keeps alive—for man's vast future—thanks to all.

Peace does not appear so distant as it did. I hope it will come soon, and come to stay; and so come as to be worth the keeping in all future time. It will then have been proved that, among free men, there can be no successful appeal from the ballot to the bullet; and that they who take such appeal are sure to lose their case, and pay the cost. And then, there will be some black men who can remember that, with silent tongue, and clenched teeth, and steady eye, and well poised bayonet, they have helped mankind on to this great consummation; while, I fear, there will be some white ones, unable to forget that, with malignant heart and deceitful speech, they have strove to hinder it.

Still let us not be over sanguine of a speedy final triumph. Let us be quite sober. Let us diligently apply the means, never doubting that a just God, in His own good time, will give us the rightful result.

Yours, very truly,

A. LINCOLN.

CIRCULAR.] WAR DEPT., ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., August 28, 1863.

SIR: The following instructions, received from the General-in-Chief, are furnished for your information and guidance, and are to be strictly observed:

All men charged with desertion who belong to regiments whose terms of service have expired shall be examined by a commission of from one to three officers, detailed by the officer (not including provost-marshals of enrollment districts) under whose command they may be held in confinement, with a view to ascertain whether they are actually deserters; and if it should appear that they are not, their cases will be submitted to the department commander, that the penalty of desertion may be remitted without trial, under paragraph 159, Army Regulations, and the men sent to the mustering officer (under General Orders, No. 108, of 1863) nearest the place of enrollment, to be mustered out of service.

If the commission should consider them deserters, or the men cannot clear themselves of the charge, they will be assigned and sent to one of the regiments from the same State, serving in the same corps or department in which the regiments to which they formerly belonged served, for trial, or such disposition as the division, corps, or department commander may make of them, according to Regulations, to serve out the time lost by desertion, the regiment to be designated by the officer who forwards them, and entered on their descriptive list or muster and descriptive roll.

The time to be made good will be the time from the date of desertion to the date of joining the regiment to which assigned.

Provost-marshals of enrollment districts will forward deserters from regiments whose terms of service have expired in the same manner as others, with a view to carry out the above instructions.

I have the honor to be, sir, your obedient servant,

E. D. TOWNSEND,
Assistant-Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE TENNESSEE,
Vicksburg, Miss., August 28, 1863.

Brigadier-General CROCKER,
Commanding, Natchez, Miss.:

GENERAL: Colonel Farrar has just called on me for instructions with regard to recruiting for his regiment. I have just returned from Cairo and not yet reached my headquarters. When I get there I will prepare fuller instructions, and only give some general rules to be observed here. In the first place it is the intention of the Secretary of War that all able-bodied negroes that can be reached shall be taken to fill up the colored regiments.

At the same time it is desirable that we should make a wide distinction between the Southern citizens who have been loyal and those who have not; also a distinction between those who have not been loyal, but now express a voluntary willingness to return to their allegiance and employ their negroes in accordance with existing orders, and those who hold out in their acknowledgment of a Southern Confederacy. I would lay down, then, as a rule, that negroes who have belonged to persons of known loyalty only be recruited as free white persons are; that is, when they come and offer themselves. Of the second class they may be visited by recruiting officers and the option given them to enlist, and the able-bodied negroes of the third class of citizens may be taken possession [of] with or without their own consent.

All negroes who have not been employed in accordance with published orders may be taken to put in the ranks.

In hunting them up the plantations of known loyalty should not be visited. Indeed, I think it advisable that a list of planters and citizens should be made out, whose premises should not be visited for the purpose of securing negroes. I am desirous of seeing the two organizations now being raised in Natchez filled up as soon as possible. I hope you will give both of them every facility to do so within these meager instructions. I want the expedition against Harrisonburg to start as soon as possible.

I will see the naval commander here at once and secure his co-operation.

Very respectfully,

U. S. GRANT,
Major-General.

STEVENSON, ALA., *August 28, 1863.*

Col. W. HOFFMAN,
Commissary-General of Prisoners:

Your dispatch received. Governor Johnson and myself both think prisoners of war desiring to enlist will number by thousands—certainly many hundreds. If each case is referred to Washington the delay will materially impede if not prevent enlistments. Most of these men were Union men forced into the rebel Army. The original rebels don't desire to. Will you please explain this to Secretary of War and telegraph his answer?

W. S. ROSECRANS,
Major-General.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,
Springfield, August 28, 1863.

Hon. EDWIN M. STANTON,
Secretary of War, Washington:

SIR: After careful consideration I am satisfied it is my duty to attempt to organize a colored regiment in this State.

I therefore have the honor to request authority to do so, and desire to be informed, should the authority be granted, what control will be given me in the organization.

I am, sir, very respectfully, your obedient servant,

RICHD. YATES,
Governor.

DAVENPORT, IOWA, *August 28, 1863.*

Hon. E. M. STANTON:

I shall have an overplus of Eighth Cavalry. I want credit for them, and leave for another regiment. We should have credit for the Northern Border Brigade, which has cost the State $90,000, and which has done as much service as other troops who have had a U. S. muster.

N. B. BAKER,
Adjutant-General of Iowa.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 28, 1863.

GOVERNOR OF IOWA,
Davenport, Iowa:

So soon as the Eighth Regiment is mustered in your request to raise the Ninth Cavalry will receive prompt consideration.

JAMES B. FRY,
Provost-Marshal-General.

SPECIAL ORDERS, No. 386. } WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, August 28, 1863.

* * * * * * *

13. Brig. Gen. G. Clay Smith, U. S. Volunteers, is hereby detailed on special duty connected with the recruitment of troops in Kentucky, and will enter thereon and be governed by the regulations of the service.

* * * * * * *

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 28, 1863.

His Excellency JAMES Y. SMITH,
Governor of Rhode Island, Providence, R. I.:

SIR: The proposition contained in my letter to Governor Andrew was made to relieve a case of local hardship, and without any intention of making it general, or supposing that it would be so considered.

The numerous applications made by various towns and other small organizations soon satisfied me that it would be difficult, if not impossible, to find any principle of adjustment which would apply to all or even any great number of cases. I was under the impression that the scheme devised and suggested to Governor Seymour and others would be of some practical effect, which was to ascertain the names of men claimed to have been furnished, and compare them with muster-in rolls on file in the War Department.

In one or two instances where this has been attempted it is found to be a very extensive labor, and no adequate results have been arrived at, and the time which would be taken up with the claims of all who choose to make them would cause so much delay as to defeat the object in view and also interfere seriously with other important business.

An earnest and faithful effort has been made to carry out the plan, but the very effort has brought out so many difficulties and complications which I did not foresee, and developed so many obstacles which cannot be overcome, that I am at last compelled to abandon the idea.

I wrote to Governor Andrew under the impression that the matter was one affecting only a limited section, and which could be quickly attended to, but it has so much increased that now, even if the claims of towns could all be adjusted and granted, it would almost neutralize the effect of the draft, and to raise men enough from the few towns which admit a deficiency would be impossible. While I thus frankly admit my inability to do what I contemplated, and give my reasons for it, I can at least ask and hope for acquiescence in a decision which has become unavoidable. The previous action of towns and counties in excess show that they possess a patriotic sense of the necessity, the absolute necessity, of pressing to a victorious conclusion the war upon which we stand or fall as a nation, and of providing men and means for the purpose. I therefore rely upon their patriotism, their interest in a return of peace and prosperity, to abate a little their claims for previous generosity, and, if drafted, to assume cheerfully the honor which awaits them of being the winners of the last victory.

No one appreciates more than I do the propriety of making and even insisting upon having due credit allowed for the services already rendered and the sacrifices already endured, but in attempting this it will not do to yield the great point of providing means of making a speedy termination of the war, and 1,000 men now may save the necessity of calling for 10,000 in the future.

It is proper for me to inform you also that the Secretary of War has decided that he has no authority under the laws of Congress to deduct the overplus of volunteers which may have been furnished by towns from the quota now ordered by draft from those towns.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WASHINGTON, *August 29, 1863.*

Major-General ROSECRANS,
Stevenson, Ala.:

Your dispatch of this date [28th] having been referred to the Secretary of War he directs me to say that enlistments authorized by yourself and Governor Johnson will be approved by the Department,

care being taken in the selection and organization to distribute them so as to be under the control of Union forces and sentiment. To this extent the rules of the Department are temporarily modified in your department.

WM. HOFFMAN,
Commissary-General of Prisoners.

STATE OF CONNECTICUT, EXECUTIVE DEPARTMENT,
Norwich, August 29, 1863.

His Excellency ABRAHAM LINCOLN,
President of the United States:

DEAR SIR: The expedition fitted out nearly a year ago under Major-General Banks has resulted in benefit to the Southwest, yet it has not, as was anticipated, extended its power or influence so as to establish the authority of the United States over Texas, and I would unite with His Excellency Governor Andrew, and others, in calling your attention to the importance of fitting out an expedition, with as little delay as is practicable, and placing it under the command of an able officer who is well acquainted with the condition, character, and views of that people, to take military possession of the State.

It appears to me that a military occupation which promised permanence would be such a guarantee of protection to loyal citizens that they would not hesitate to come out boldly in support of the Government, and lead them to adopt measures which would soon relieve the State from the curse of slavery and bind it to perpetual freedom.

It would also have its influence in causing the rich and abundant agricultural productions of that State to be used for the benefit of loyal citizens.

I am, with high consideration, your obedient servant,
W. A. BUCKINGHAM,
Governor of Connecticut.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 29, 1863.

N. B. BAKER,
Adjutant-General of Iowa, Davenport:

Telegram yesterday received, and one same date to Secretary of War referred to me.

Experience has indicated that it is better to have a complete regiment mustered in before another is commenced, else recruiting is retarded.

Colonel Grier reports Eighth Cavalry not ready for muster. He has been instructed to muster it promptly when ready.

Credits will be given for all troops so soon as mustered into U. S. service and fact reported by U. S. mustering officer.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington City, August 29, 1863.

Maj. Gen. CHARLES W. SANDFORD,
New York State Militia, New York City, N. Y.:

SIR: I am instructed by the Secretary of War to acknowledge the receipt of your letter of the 22d instant, in which you request that

the members of the division under your command, who were in the U. S. service at the time the draft commenced in New York, may be excused from its operation. In reply the Secretary instructs me to say that while he duly appreciates the services and patriotism of the troops named, he cannot consistently, with a proper regard to the interests of the service and the legal execution of the enrollment law, comply with your request.

Very respectfully, your obedient servant,

JAS. A. HARDIE,
Assistant Adjutant-General.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
NORTHERN DIVISION, STATE OF NEW YORK,
Albany, August 29, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to inclose a copy of a telegram from Major-General Dix informing me that he can send me troops for the execution of the draft for the remainder of the Fifteenth District, but that he cannot spare troops at present for the draft in the Twelfth and Thirteenth Districts. The draft will be renewed in Troy on Tuesday next, September 1. I intended to execute the draft in the Twelfth and Thirteenth Districts both on the 2d of September, but must now await the convenience of General Dix, for the supply of troops, or the completion of the draft in Troy. The Governor has been notified.

I am, sir, very respectfully,

FREDK. TOWNSEND,
Major, U. S. Army, Actg. Asst. Provost-Marshal-General.

[Inclosure.]

NEW YORK, *August 29, 1863.*

Maj. F. TOWNSEND:

The troops for the Fifteenth District, Troy, will be sent. For the Twelfth and Thirteenth Districts none can at present be spared.

By command of Major-General Dix:

C. T. DIX,
Major and Acting Assistant Adjutant-General.

EXECUTIVE MANSION,
Washington, August 31, 1863.

Hon. JAMES C. CONKLING,
Springfield, Ill.:

In my letter of the 26th, insert between the sentence ending "since the issue of the emancipation proclamation, as before," and the next, commencing "You say you will not fight, &c.," what follows below my signature hereto.*

A. LINCOLN.

VICKSBURG, MISS., *August 31, 1863.*

Col. E. D. TOWNSEND,
Assistant Adjutant-General, Washington, D. C.:

COLONEL: This month closes with but seemingly little done in the way of organization of blacks, but I have not been idle, and now as

*See amendment inclosed in brackets, p. 733.

fast as I can get the negroes they will be enrolled. The first object was to fill up the old regiments, much reduced by deaths, losses in battle, and desertions. A regiment of artillery and one of infantry are about full at Natchez. Lieb's infantry regiment will be changed to artillery and filled to the maximum for the works at this place. Recruiting officers are with the expedition sent from Goodrich's Landing to organize a cavalry regiment to be mounted on mules. A second will then be authorized, also two batteries of artillery. I should state that the negroes have been driven back many miles on both sides of the Mississippi River, and I can only get at them as expeditions are sent out. General Grant is desirous of an interview with General Banks, to see if he can by any operations from this point aid General Banks in his contemplated movement. I shall also go to New Orleans to arrange for the organization of the negroes to be secured by the troops. We shall leave this afternoon. I wish to get everything working well on the river before I pay General Rosecrans a visit. Generals Hawkins and Kiernan have both reported and are on duty. The health of the former is entirely restored. Please report me to the Secretary of War.

I am, sir, very respectfully, your obedient servant,

L. THOMAS,
Adjutant-General.

PRIVATE.] SAINT NICHOLAS, N. Y., *August 31, 1863.*

Hon. E. M. STANTON,
Secretary of War, Washington:

DEAR SIR: From all I can see and hear at the North and from the hopeless state of the rebels I am fully convinced you will shortly be overwhelmed with the cry for "The Union as it was, and the Constitution as it is." Slavery will thus be fixed on us forever, and all our blood and treasure will have been expended in vain. Cannot this be prevented by a general arming of the negroes and a general destruction of all the property of the slaveholders, thus making it their interest to get rid of slavery?

Let me take the men you can spare from this city, land at Brunswick, Ga., march through the heart of Georgia, Alabama, and Mississippi to New Orleans, arming all the negroes and burning the house and other property of every slaveholder. A passage of this kind would create such a commotion among the negroes that they themselves could be left to do the rest of the work. I am a firm believer in the maxim that "Slaveholders have no rights a negro is bound to respect." I have the honor to be, very respectfully, your most obedient servant,

D. HUNTER,
Major-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, August 31, 1863.

GOVERNOR STATE OF ILLINOIS:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include June 11, 1863, the date of the exhibit.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:	
Quota under calls of 1861	47,785
Quota under call of July 2, 1862	26,148
Excess	51,388
	125,321
Furnished:	
Under calls of 1861—	
60 regiments of infantry	51,689
1 company Sturges Rifles	88
13 regiments of cavalry	12,590
Independent companies of cavalry	918
2 regiments of artillery	2,571
2 independent batteries	239
Recruits for all arms (1861 and 1862)	1,398
Under call of July 2, 1862—	
59 regiments of infantry	52,633
4 regiments of cavalry	2,364
1 independent company of cavalry	95
5 batteries of artillery	741
Recruits for all arms (see above)	None.
	125,321

NINE-MONTHS.

Due: Quota under call for 300,000 militia	26,148
Furnished	None.
Deficiency	26,148

The above statement is made from the muster rolls on file up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.	Sturges Rifles.	Total.
1861.					
7th Regiment	819				
8th Regiment	628				
9th Regiment	1,005				
10th Regiment	729				
11th Regiment	750				
12th Regiment	831				
13th Regiment	862				
14th Regiment	929				
15th Regiment	853				
16th Regiment	940				
17th Regiment	876				
18th Regiment	893				
19th Regiment	962				
20th Regiment	968				
21st Regiment	935				
22d Regiment	929				
23d Regiment	888				
24th Regiment	808				
25th Regiment	824				
26th Regiment	837				
27th Regiment	800				
28th Regiment	808				
29th Regiment	911				
30th Regiment	784				
31st Regiment	977				
32d Regiment	806				
33d Regiment	866				
34th Regiment	850				
35th Regiment	847				
36th Regiment	1,184				
37th Regiment	960				
38th Regiment	742				

THREE-YEARS—Continued.

Arm of service.	Infantry.	Cavalry.	Artillery.	Sturges Rifles.	Total.
1861.					
39th Regiment	801				
40th Regiment	814				
41st Regiment	921				
42d Regiment	958				
43d Regiment	856				
44th Regiment	927				
45th Regiment	862				
46th Regiment	913				
47th Regiment	948				
48th Regiment	830				
49th Regiment	862				
50th Regiment	809				
51st Regiment	774				
52d Regiment	907				
53d Regiment	908				
54th Regiment	906				
55th Regiment	972				
56th Regiment	876				
57th Regiment	872				
58th Regiment	868				
59th Regiment	713				
60th Regiment	893				
61st Regiment	611				
62d Regiment	843				
63d Regiment	863				
64th Regiment	550				
65th Regiment	928				
66th Regiment	873				51,689
1 company				83	83
1st Regiment		768			
2d Regiment		1,021			
3d Regiment		1,010			
4th Regiment		983			
5th Regiment		1,074			
6th Regiment		1,104			
7th Regiment		1,058			
8th Regiment		1,150			
9th Regiment		965			
10th Regiment		1,046			
11th Regiment		965			
12th Regiment		759			
13th Regiment		687			12,590
Independent companies		918			918
1st Regiment			1,344		
2d Regiment			1,227		2,571
2 independent battalions			239		239
1862.					
14th Regiment		886			
15th Regiment		745			
16th Regiment		630			
17th Regiment		103			2,364
1 independent company		95			95
5 batteries			741		741
72d Regiment	928				
73d Regiment	912				
74th Regiment	836				
75th Regiment	850				
76th Regiment	929				
77th Regiment	860				
78th Regiment	898				
79th Regiment	948				
80th Regiment	916				
81st Regiment	858				
82d Regiment	858				
83d Regiment	971				
84th Regiment	911				
85th Regiment	939				
86th Regiment	911				
87th Regiment	903				
88th Regiment	896				
89th Regiment	822				
90th Regiment	900				
91st Regiment	813				
92d Regiment	848				
93d Regiment	961				
94th Regiment	950				

THREE-YEARS—Continued.

Arm of service.	Infantry.	Cavalry.	Artillery.	Sturges Rifles.	Total.
1862.					
95th Regiment	968				
96th Regiment	957				
97th Regiment	896				
98th Regiment	910				
99th Regiment	876				
100th Regiment	896				
101st Regiment	866				
102d Regiment	901				
103d Regiment	941				
104th Regiment	911				
105th Regiment	946				
106th Regiment	875				
107th Regiment	897				
108th Regiment	849				
109th Regiment	903				
110th Regiment	854				
111th Regiment	878				
112th Regiment	949				
113th Regiment	914				
114th Regiment	895				
115th Regiment	911				
116th Regiment	897				
117th Regiment	866				
118th Regiment	819				
119th Regiment	872				
120th Regiment	885				
122d Regiment	841				
123d Regiment	912				
124th Regiment	903				
125th Regiment	883				
126th Regiment	849				
127th Regiment	832				
128th Regiment	860				
129th Regiment	929				
130th Regiment	848				
131st Regiment	856				52,633
Total					123,923

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 11, 1863.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, August 31, 1863.

GOVERNOR STATE OF INDIANA:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include May 26, 1863, the date of the exhibit.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:

Quota under calls 1861 for 500,000 volunteers	38,832
Quota 300,000 volunteers, call July 2, 1862	21,250
Excess	24,978
	85,060

Furnished:	
Under calls of 1861—	
48 regiments of infantry	47,889
8 regiments of cavalry (1st, 2d, and 3d)	3,009
18 batteries of artillery (1st to 17th, and Rigby's) 1861, 7 batteries of artillery (18th to 25th) 1862,	3,355
Recruits up to date for all arms of service	2,483
Under call for 300,000 volunteers, 1862—	
28 regiments of infantry	26,015
2 regiments of cavalry	2,309
7 batteries of artillery	None.
	85,060
2 regiments for twelve months, 1861	1,698

NINE-MONTHS.

Due: Under call 300,000 militia (General Orders, No. 94, 1862)	21,250
Furnished	None.
Deficiency	21,250

The above statement is made from the muster-rolls on file in this office up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.	Sharpshooters.	Total amount.
1861.					
6th Regiment	1,049				
7th Regiment	1,016				
8th Regiment	1,043				
9th Regiment	1,048				
10th Regiment	977				
11th Regiment	1,048				
12th Regiment	944				
13th Regiment	1,047				
14th Regiment	1,045				
15th Regiment	1,047				
17th Regiment	1,128				
18th Regiment	1,046				
19th Regiment	1,048				
20th Regiment	1,047				
21st Regiment	1,048				
22d Regiment	1,047				
23d Regiment	1,047				
24th Regiment	1,048				
25th Regiment	1,046				
26th Regiment	1,023				
27th Regiment	1,022				
29th Regiment	907				
30th Regiment	1,004				
31st Regiment	1,035				
32d Regiment	918				
33d Regiment	972				
34th Regiment	910				
35th Regiment	786				
36th Regiment	1,025				
37th Regiment	977				
38th Regiment	983				
39th Regiment	1,004				
40th Regiment	887				
42d Regiment	1,014				
43d Regiment	978				
44th Regiment	928				
46th Regiment	965				
47th Regiment	956				
48th Regiment	983				
49th Regiment	971				

THREE-YEARS—Continued.

Arm of service.	Infantry.	Cavalry.	Artillery.	Sharpshooters.	Total amount.
1861.					
50th Regiment	930				
51st Regiment	845				
52d Regiment	912				
53d Regiment	922				
57th Regiment	866				
58th Regiment	896				
59th Regiment	713				
60th Regiment	828				
63d Regiment	960				47,880
1st Regiment		1,038			
2d Regiment		1,031			
3d Regiment		940			3,009
1st Battery					
2d Battery					
3d Battery					
4th Battery					
5th Battery					
6th Battery					
7th Battery					
8th Battery					
9th Battery					
10th Battery					
11th Battery					
12th Battery					
13th Battery			3,355		3,355
14th Battery					
15th Battery					
16th Battery					
17th Battery					
18th Battery					
1862.					
19th Battery					
20th Battery					
21st Battery					
22d Battery					
23d Battery					
24th Battery					
25th Battery					
65th Regiment	982				
66th Regiment	1,006				
67th Regiment	966				
68th Regiment	889				
69th Regiment	989				
70th Regiment	993				
71st Regiment	984				
72d Regiment	971				
73d Regiment	1,000				
74th Regiment	922				
75th Regiment	982				
79th Regiment	907				
80th Regiment	930				
81st Regiment	917				
82d Regiment	928				
83d Regiment	958				
84th Regiment	929				
85th Regiment	876				
86th Regiment	971				
87th Regiment	931				
88th Regiment	923				
89th Regiment	905				
91st Regiment	623				
93d Regiment	906				
97th Regiment	852				
99th Regiment	919				
100th Regiment	908				
101st Regiment	998				26,015
4th Regiment		1,214			
5th Regiment		1,095			2,309
Total					82,577

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, August 31, 1863.

GOVERNOR STATE OF IOWA:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include June 11, 1863, the date of the exhibit.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:	
Quota under calls of 1861	19,316
Quota under call July 2, 1862	10,570
Excess	16,539
	46,425
Furnished:	
Under calls of 1861—	
16 regiments of infantry (2d to 17th)	15,808
5 regiments of cavalry (1st to 5th)	5,199
1 company of cavalry	93
3 companies of artillery	310
Recruits for all arms	1,077
Under call July 2, 1862—	
23 regiments of infantry (18th to 40th)	21,872
2 regiments of cavalry (6th and 7th)	1,413
Recruits for all arms	1,653
	46,425

NINE-MONTHS.

Due: Quota under call for 800,000 militia	10,570
Furnished	None.
Deficiency	10,570

The above statement is made from the muster-rolls on file up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery	Total.
1861.				
2d Regiment	1,007			
3d Regiment	965			
4th Regiment	880			
5th Regiment	932			
6th Regiment	853			
7th Regiment	916			
8th Regiment	954			
9th Regiment	1,002			
10th Regiment	830			
11th Regiment	932			
12th Regiment	912			
13th Regiment	1,007			
14th Regiment	992			
15th Regiment	1,247			
16th Regiment	950			
17th Regiment	929			15,808
1st Regiment		1,052		
2d Regiment		1,069		
3d Regiment		1,110		
4th Regiment		1,001		
5th Regiment		967		
1 company		98		5,292
3 companies			310	310

THREE-YEARS—Continued.

Arm of service.	Infantry.	Cavalry.	Artillery.	Total.
1862.				
18th Regiment	864			
19th Regiment	992			
20th Regiment	897			
21st Regiment	972			
22d Regiment	824			
23d Regiment	963			
24th Regiment	981			
25th Regiment	967			
26th Regiment	881			
27th Regiment	943			
28th Regiment	954			
29th Regiment	968			
30th Regiment	956			
31st Regiment	954			
32d Regiment	916			
33d Regiment	980			
34th Regiment	940			
35th Regiment	938			
36th Regiment	950			
37th Regiment	913			
38th Regiment	884			
39th Regiment	834			
40th Regiment	906			21,372
6th Regiment		1,126		
7th Regiment		287		1,413
Total				43,695

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 11, 1863.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, August 31, 1863.

GOVERNOR STATE OF NEW YORK:

SIR: I have the honor to inclose herewith exhibits showing the number of troops furnished by your State to include August 11, 1863.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

A.

THREE-YEARS.

Due:	
Quota under calls of 1861	109,056
Quota under call July 2, 1862, for 300,000 volunteers	59,705
Excess	None.
	168,761
Furnished:	
Under calls of 1861—	
66 regiments of infantry	60,356
11 regiments of cavalry	11,228
Mann's Oneida Cavalry	89
3 regiments of artillery	8,025
3d Battalion of Artillery	390

care being taken in the selection and organization to distribute them so as to be under the control of Union forces and sentiment. To this extent the rules of the Department are temporarily modified in your department.

WM. HOFFMAN,
Commissary-General of Prisoners.

STATE OF CONNECTICUT, EXECUTIVE DEPARTMENT,
Norwich, August 29, 1863.

His Excellency ABRAHAM LINCOLN,
President of the United States:

DEAR SIR: The expedition fitted out nearly a year ago under Major-General Banks has resulted in benefit to the Southwest, yet it has not, as was anticipated, extended its power or influence so as to establish the authority of the United States over Texas, and I would unite with His Excellency Governor Andrew, and others, in calling your attention to the importance of fitting out an expedition, with as little delay as is practicable, and placing it under the command of an able officer who is well acquainted with the condition, character, and views of that people, to take military possession of the State.

It appears to me that a military occupation which promised permanence would be such a guarantee of protection to loyal citizens that they would not hesitate to come out boldly in support of the Government, and lead them to adopt measures which would soon relieve the State from the curse of slavery and bind it to perpetual freedom.

It would also have its influence in causing the rich and abundant agricultural productions of that State to be used for the benefit of loyal citizens.

I am, with high consideration, your obedient servant,

W. A. BUCKINGHAM,
Governor of Connecticut.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 29, 1863.

N. B. BAKER,
Adjutant-General of Iowa, Davenport:

Telegram yesterday received, and one same date to Secretary of War referred to me.

Experience has indicated that it is better to have a complete regiment mustered in before another is commenced, else recruiting is retarded.

Colonel Grier reports Eighth Cavalry not ready for muster. He has been instructed to muster it promptly when ready.

Credits will be given for all troops so soon as mustered into U. S. service and fact reported by U. S. mustering officer.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington City, August 29, 1863.

Maj. Gen. CHARLES W. SANDFORD,
New York State Militia, New York City, N. Y.:

SIR: I am instructed by the Secretary of War to acknowledge the receipt of your letter of the 22d instant, in which you request that

the members of the division under your command, who were in the U. S. service at the time the draft commenced in New York, may be excused from its operation. In reply the Secretary instructs me to say that while he duly appreciates the services and patriotism of the troops named, he cannot consistently, with a proper regard to the interests of the service and the legal execution of the enrollment law, comply with your request.

Very respectfully, your obedient servant,

JAS. A. HARDIE,
Assistant Adjutant-General.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
NORTHERN DIVISION, STATE OF NEW YORK,
Albany, August 29, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to inclose a copy of a telegram from Major-General Dix informing me that he can send me troops for the execution of the draft for the remainder of the Fifteenth District, but that he cannot spare troops at present for the draft in the Twelfth and Thirteenth Districts. The draft will be renewed in Troy on Tuesday next, September 1. I intended to execute the draft in the Twelfth and Thirteenth Districts both on the 2d of September, but must now await the convenience of General Dix, for the supply of troops, or the completion of the draft in Troy. The Governor has been notified.

I am, sir, very respectfully,

FREDK. TOWNSEND,
Major, U. S. Army, Actg. Asst. Provost-Marshal-General.

[Inclosure.]

NEW YORK, *August 29, 1863.*

Maj. F. TOWNSEND:

The troops for the Fifteenth District, Troy, will be sent. For the Twelfth and Thirteenth Districts none can at present be spared.

By command of Major-General Dix:

C. T. DIX,
Major and Acting Assistant Adjutant-General.

EXECUTIVE MANSION,
Washington, August 31, 1863.

Hon. JAMES C. CONKLING,
Springfield, Ill.:

In my letter of the 26th, insert between the sentence ending "since the issue of the emancipation proclamation, as before," and the next, commencing "You say you will not fight, &c.," what follows below my signature hereto.*

A. LINCOLN.

VICKSBURG, MISS., *August 31, 1863.*

Col. E. D. TOWNSEND,
Assistant Adjutant-General, Washington, D. C.:

COLONEL: This month closes with but seemingly little done in the way of organization of blacks, but I have not been idle, and now as

*See amendment inclosed in brackets, p. 733.

THREE-YEARS—Continued.

Arm of service.	Infantry.	Cavalry.	Artillery.	Serrell's Engineers.	Berdan's Sharpshooters.	Enfans Perdus.	New York sharpshooters.	Total.
1862.								
120th Regiment	943							
121st Regiment	940							
122d Regiment	962							
123d Regiment	939							
124th Regiment	950							
125th Regiment	975							
126th Regiment	978							
127th Regiment	962							
128th Regiment	1,014							
129th Regiment	1,016							
130th Regiment	1,022							
131st Regiment	960							
132d Regiment	1,041							
133d Regiment	846							
134th Regiment	985							
136th Regiment	965							
137th Regiment	1,020							
139th Regiment	906							
140th Regiment	973							
141st Regiment	987							
142d Regiment	972							
143d Regiment	946							
144th Regiment	914							
145th Regiment	740							
146th Regiment	861							
147th Regiment	905							
148th Regiment	912							
149th Regiment	885							
150th Regiment	850							
151st Regiment	886							
152d Regiment	863							
153d Regiment	866							
154th Regiment	950							
155th Regiment	760							
156th Regiment	959							
157th Regiment	984							
158th Regiment	965							
150th Regiment	839							
160th Regiment	965							
161st Regiment	892							
162d Regiment	879							
163d Regiment	500							
164th Regiment	766							
165th Regiment	545							
168th Regiment								
169th Regiment	990							
170th Regiment	868							
173d Regiment	866							
174th Regiment	908							
175th Regiment	549							
176th Regiment	903							
69th Regiment	712							58,641
12th Regiment		471						
13th Regiment		91						
14th Regiment		221						783
Metropolitan Cavalry		603						603
5th Regiment			1,616					
6th Regiment			959					
7th Regiment			1,064					
8th Regiment			1,016					
9th Regiment			903					
10th Regiment			1,732					7,350
14 batteries			1,960					1,960
New York sharpshooters							366	366
Total								149,618

TWO-YEARS.

Arm of service.	Infantry.	Artillery.	Total.	Arm of service.	Infantry.	Artillery.	Total.
1st Regiment	799			22d Regiment	781		
2d Regiment	785			23d Regiment	781		
3d Regiment	796			24th Regiment	781		
4th Regiment	786			25th Regiment	779		
5th Regiment	803			26th Regiment	776		
6th Regiment	783			27th Regiment	795		
7th Regiment	779			28th Regiment	781		
8th Regiment	780			29th Regiment	855		
9th Regiment	788			30th Regiment	781		
10th Regiment	778			31st Regiment	783		
11th Regiment	1,043			32d Regiment	779		
12th Regiment	1,292			33d Regiment	786		
13th Regiment	756			34th Regiment	803		
14th Regiment	782			35th Regiment	800		
15th Regiment	782			36th Regiment	785		
16th Regiment	825			37th Regiment	795		
17th Regiment	783			38th Regiment	792		29,890
18th Regiment	781			3d Regiment		1,060	1,060
20th Regiment	778						
21st Regiment	758			Total			30,950

NINE-MONTHS.

	Infantry.	Total.
168th Regiment		754
177th Regiment		1,027
Total		1,781

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 11, 1863.

B.

Supplementary exhibit to statement of June 11, as taken from records received since that date.

Recruits not previously accounted for		1,203
New regiments—		
13th Cavalry	87	
14th Cavalry	209	
16th Cavalry	358	
Mix's cavalry	127	
11th Artillery	507	
		1,288
Total		2,491

SUMMARY AND REMARKS.

The United States have credited the State of New York with 2,794 more volunteers (as supplied by regiments and companies) than is claimed to have been furnished. This credit was given before the Department knew the number which the State claimed as having furnished. The State claims to have furnished 12,311 more recruits for regiments in the field—"old organizations"—than the United States have given credit for. It is therefore seen that the number in dispute is made up of recruits for old regiments. The difference between 12,311 and 2,794 is 9,517. This is the number for which the State claims to have received no credit. In making up the statements or exhibits of this office the numbers were taken from the muster-in

rolls of regiments, companies, and detachments, as filed by the duly-appointed U. S. mustering officers for the State. Where, as in some few instances, no muster-in rolls of regiments were filed the numbers were taken from the first muster and pay rolls of the organization. It will be seen by a letter to the Governor, of date June 2, copy herewith, that the Department contemplated a comparison of the State records of men furnished with those of this office. In answer to that letter the adjutant-general of the State, under date of July 9, has furnished a statement, from which the numbers herein referred to as claimed by the State have been taken. As the present records of the Department will not allow a credit to be given for the disputed number (9,517) of recruits, it remains for the State to show by the muster-in rolls thereof that she is entitled to said credit. As the statement from the adjutant-general of the State does not exhibit in detail the data upon which the claim for the disputed recruits rests, it will devolve on a special comparison of the State with the U. S. records to show that the State is justly entitled to the credit therefor. Should it by that appear that the State is entitled to the credit, then she will have an excess of 14,212 (three-years', two-years', and nine-months' men) above all calls. By Exhibit A of July [June] 11, from this office, she had an excess of 4,695 three-years' men. It is proper to add that the adjutant-general of New York, in the recapitulation of troops furnished in 1861, remarks: "Recruits for regiments in the field estimated at 11,000." In the report of the adjutant-general for 1863 it is stated that the recruits sent to old regiments since the date of last report (January 15, 1862) "will not fall below 20,000."

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
August 11, 1863.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, August 31, 1863.

GOVERNOR STATE OF OHIO:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include June 10, 1863, the date of the exhibit.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:	
Quota under calls of 1861	67,365
Quota under call July 2, 1862, for 300,000 volunteers	36,858
Excess	32,994
	137,217
Furnished:	
Under calls of 1861—	
76 regiments of infantry	68,884
Hoffman Battalion, Dennison Guards	469
6 regiments of cavalry	6,616
1 regiment of artillery	1,550
1 independent company of cavalry	81
15 batteries of artillery	1,991
Recruits for all arms (1861 and 1862)	15,595

Furnished—Continued.	
Under calls of 1862—	
44 regiments of infantry	37,813
Trumbull Guards and sharpshooters	276
4 regiments of cavalry	2,719
1 independent company of cavalry	81
8 batteries of artillery	1,142
Recruits for all arms (see above)	None.
	137,217
1 regiment (60th Ohio), in 1861, for twelve months	863

NINE-MONTHS.

Due: Quota under call 300,000 militia	36,858
Furnished: Under call for 300,000 volunteers	None.
Deficiency	36,858

The above statement is made from the muster-rolls on file up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.	Hoffman Battalion.	Denulson Guards.	Trumbull Guards.	Sharpshooters.	Total.
1861.								
1st Regiment	976							
2d Regiment	924							
3d Regiment	898							
4th Regiment	1,009							
5th Regiment	974							
6th Regiment	906							
7th Regiment	904							
8th Regiment	894							
9th Regiment	1,022							
10th Regiment	967							
11th Regiment	806							
12th Regiment	918							
13th Regiment	898							
14th Regiment	988							
15th Regiment	934							
16th Regiment	922							
17th Regiment	859							
18th Regiment	862							
19th Regiment	1,004							
20th Regiment	914							
21st Regiment	800							
22d Regiment	895							
23d Regiment	916							
24th Regiment	896							
25th Regiment	936							
26th Regiment	912							
27th Regiment	897							
28th Regiment	856							
29th Regiment	1,002							
30th Regiment	780							
31st Regiment	864							
32d Regiment	786							
33d Regiment	535							
34th Regiment	782							
35th Regiment	918							
36th Regiment	825							
37th Regiment	827							
38th Regiment	960							
39th Regiment	966							
40th Regiment	880							
41st Regiment	980							
42d Regiment	1,042							
43d Regiment	985							
44th Regiment	895							
45th Regiment	848							
47th Regiment	842							
48th Regiment	947							

THREE-YEARS—Continued.

Arm of service.	Infantry.	Cavalry.	Artillery.	Hoffman Battalion.	Dennison Guards.	Trumbull Guards.	Sharpshooters.	Total.
1861.								
49th Regiment	893							
50th Regiment	979							
51st Regiment	964							
53d Regiment	839							
54th Regiment	754							
55th Regiment	969							
56th Regiment	889							
57th Regiment	942							
58th Regiment	872							
59th Regiment	918							
61st Regiment	898							
62d Regiment	949							
63d Regiment	900							
64th Regiment	881							
65th Regiment	913							
66th Regiment	938							
67th Regiment	936							
68th Regiment	887							
69th Regiment	900							
70th Regiment	938							
72d Regiment	996							
73d Regiment	888							
74th Regiment	963							
75th Regiment	999							
76th Regiment	927							
77th Regiment	908							
78th Regiment	909							
80th Regiment	877							
82d Regiment	932							68, 884
Hoffman Battalion				379				379
Dennison Guards					90			90
1st Regiment		1, 037						
2d Regiment		1, 179						
3d Regiment		1, 214						
4th Regiment		989						
5th Regiment		1, 059						
6th Regiment		1, 138						6, 616
1st Independent Company		81						81
1st Regiment			1, 550					1, 550
15 batteries			1, 991					1, 991
1862.								
52d Regiment	971							
79th Regiment	931							
80th Regiment	877							
81st Regiment	840							
82d Regiment	988							
88th Regiment	894							
89th Regiment	959							
90th Regiment	971							
91st Regiment	955							
92d Regiment	890							
93d Regiment	966							
94th Regiment	995							
95th Regiment	871							
96th Regiment	1, 005							
97th Regiment	964							
98th Regiment	981							
99th Regiment	1, 021							
100th Regiment	1, 011							
101st Regiment	965							
102d Regiment	1, 049							
103d Regiment	986							
104th Regiment	1, 015							
105th Regiment	1, 015							
106th Regiment	710							
107th Regiment	864							
108th Regiment	724							
109th Regiment	101							
110th Regiment	847							
111th Regiment	998							
112th Regiment	275							
113th Regiment	842							
114th Regiment	945							
115th Regiment	968							

THREE-YEARS—Continued.

Arm of service.	Infantry.	Cavalry.	Artillery.	Hoffman Battalion.	Dennison Guards.	Trumbull Guards.	Sharpshooters.	Total.
1862.								
116th Regiment	888							
117th Regiment	765							
118th Regiment	817							
119th Regiment	129							
120th Regiment	946							
121st Regiment	939							
122d Regiment	933							
123d Regiment	942							
124th Regiment	919							
125th Regiment	762							
126th Regiment	879							87,813
Trumbull Guards						98		98
2 companies sharpshooters							183	183
7th Regiment		1,174						
8th Regiment		309						
9th Regiment		430						
10th Regiment		806						2,719
8 batteries			1,142					1,142
1 company		81						81
Total								121,022

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 10, 1863.

NEW YORK, *September 1, 1863.*

Major-General HALLECK:

MY DEAR SIR: The course of Governor Seymour ought to be more thoroughly canvassed and exposed than it has been. I will see that it is done if I can get the materials. His friends say that he could have got all the men by volunteering that were needed. I understand—

First. That in eight months, since his administration commenced, he has sent only 2,000 men into the field.

Second. That he promised in May to reorganize the thirty-eight two-years' regiments in thirty days, if they could be allowed to come here and be mustered out.

Third. That he asked an extension of thirty days. This I learn from General Canby. It is well known that the only one of these regiments saved is the Third (now on Morris Island), which was reorganized by me at Fort Monroe.

Fourth. Colonel Fry told me he had written Governor Seymour early in regard to the draft, and asked his advice, but received no answer. I think he said he had written more than once.

Will you send me the facts, correspondence, &c.? I will in that case bring them out.

Seymour was elected on the platform of a "more vigorous prosecution of the war." He has practically put himself on the platform of his relative and namesake in Connecticut—"A vigorous prosecution of peace."

I have found in the annals of Congress some interesting facts.

When Madison and Monroe proposed a draft it was attacked by the Federalists in Congress. Among others Morris S. Miller, of Utica, with whose family Seymour is connected (I think by a double

marriage), attacked it as a *conscription*, as unconstitutional, &c., very much as Seymour is doing now. There is this difference—Judge Miller was resisting a legislative proposition in legitimate debate, whereas Seymour is resisting the law of the land.

Everything is getting on quietly, and the prospect is favorable.

I am, dear general, sincerely yours,

JOHN A. DIX.

[Indorsement.]

SEPTEMBER 3, 1863.

Will Colonel Townsend and Colonel Fry give me as much of the information asked for as they can?

H. W. HALLECK.

WAR DEPARTMENT,
Washington City, September 1, 1863.

Colonel FRY,

Prov. Mar. Gen., 1606 Walnut Street, Philadelphia:

It is desired in Pennsylvania to have the boards sit in the several counties to hear exemptions. The remoteness of places and the absence of transportation make it desirable that this should be done, unless there is some controlling obstacle. Please consider the matter, and if possible make an order to that effect. At all events let me know your views and conclusion.

EDWIN M. STANTON.

PHILADEDPHIA, PA., *September 1, 1863.*

Hon. E. M. STANTON:

There are arguments for and against boards moving from county to county for the purposes of draft. I have considered the arguments against such a course as the strongest. By moving the boards the business cannot be conducted with so much system; the boards will be much less under control. The men held to service must be furloughed, to report at some future time at some designated place, and this place would have to be finally the district headquarters, because nearly all the men we get are substitutes, and they could only be received by the Board at headquarters, where they could be at once put in uniform, and where there is a guard to hold them and means of forwarding them promptly to the general rendezvous. I don't think it will result in good, but I think it may be best to try it in those districts in Pennsylvania where it has been specially asked, and thus test the matter practically. Until it is thus tested no general order should be made. I dispatch Colonel Ruggles, in my office, to grant the authority to such districts in Pennsylvania as ask it. If you approve, will you please send him any papers you may have making the request for this permission? I will see Mr. J. R. Fry about raising the regiment.

J. B. FRY,
Provost-Marshal-General.

NEW ORLEANS, LA., *September 1, 1863.*

Maj. Gen. N. P. BANKS,

Commanding Department of the Gulf:

GENERAL: I have the honor to submit the following statement of the present condition of the Corps d'Afrique under my command.

There are twenty regiments of infantry organized according to orders from department headquarters, and nearly all filled to the required numbers, which can be fully completed during the present week. There are in addition to the above four regiments of engineers organized, three of which are full and the remaining one can probably be filled within the next ten days. I would respectfully recommend that the twenty regiments of infantry be organized into divisions and brigades as soon as practicable, and would suggest two divisions, each of two brigades, and each brigade of five regiments. The engineer regiments to constitute a separate brigade.

From the facility with which these regiments have been raised, I see no obstacle to raising within three months from six to ten additional infantry regiments to form a third division. In fact, I have already applications from some of those engaged in raising the present regiments to be authorized to raise additional ones. Any movement of the forces in this department will greatly facilitate recruiting. A cavalry regiment has been commenced, which it is proposed to fill with picked men, selected from those accustomed to riding on horseback and to the care of horses; they should also be active, robust men. From their knowledge of the country it is thought that such a body of men, well officered, cannot fail to be of great service.

The progress made in drill and in the proper performance of camp duties by the regiments stationed at Port Hudson has been very satisfactory. As to the camps of the colored regiments at that post, for regularity, cleanliness, and neat appearance I do not fear comparison with the camps of any other troops, regulars or volunteers, in the U. S. service. It is very desirable that the corps organization should be completed as speedily as practicable.

With so large a number of new troops to instruct and discipline with new officers, the full staff allowed to a corps commander is indispensable, and in the present state of the Corps d'Afrique as well as of the other army corps in the department, it is impossible to obtain competent officers by details.

I am, general, respectfully, your obedient servant,

GEO. L. ANDREWS,
Brig. Gen. of Volunteers, Commanding Corps d'Afrique.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 1, 1863.

GOVERNOR STATE OF PENNSYLVANIA:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include June 3, 1863, the date of the exhibit.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:

Quota under calls of 1861	82,825
Quota under call for 300,000 volunteers (July 2, 1862)	45,321
	128,146

Furnished:	
Under calls of 1861—	
76 regiments of infantry	69,753
13 regiments of cavalry	12,209
2 regiments of artillery (1st and 2d)	1,817
6 batteries of artillery	681
Recruits for all arms	None.
Under call for volunteers of July 2, 1862—	
16 regiments of infantry	13,693
1 company engineers	105
1 regiment of artillery (3d)	1,010
5 batteries of artillery	578
5 regiments of cavalry (14th to 18th) and 10 independent companies	6,728
Recruits for all arms up to date	8,777
Deficiency	12,795
	128,146
20 regiments of volunteer infantry for nine months	18,884

NINE MONTHS.

Due: Quota under call 300,000 militia (General Orders, No. 94, 1862)		45,321
Furnished: Under call for 300,000 militia—		
14 regiments of infantry (drafted)	12,752	
6 companies independent cavalry (drafted)	579	
		13,331
Deficiency		31,990

The above statement is made from the muster-rolls on file up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.	Engineers.	Total.
1861.					
1st Regiment Reserve Corps	911				
2d Regiment Reserve Corps	643				
3d Regiment Reserve Corps	911				
4th Regiment Reserve Corps	853				
5th Regiment Reserve Corps	927				
6th Regiment Reserve Corps	948				
7th Regiment Reserve Corps	900				
8th Regiment Reserve Corps	872				
9th Regiment Reserve Corps	918				
10th Regiment Reserve Corps	898				
11th Regiment Reserve Corps	891				
12th Regiment Reserve Corps	906				
13th Regiment Reserve Corps	826				
11th Regiment	855				
23d Regiment	812				
26th Regiment	926				
27th Regiment	928				
28th Regiment	1,233				
29th Regiment	858				
45th Regiment	917				
46th Regiment	954				
47th Regiment	893				
48th Regiment	858				
49th Regiment	919				
50th Regiment	882				
51st Regiment	913				
52d Regiment	844				
53d Regiment	814				
54th Regiment	860				
55th Regiment	774				
56th Regiment	760				
57th Regiment	735				
58th Regiment	862				
61st Regiment	929				
62d Regiment	1,161				

THREE-YEARS—Continued.

Arm of service.	Infantry.	Cavalry.	Artillery.	Engineers.	Total.
1861.					
63d Regiment	1,017				
67th Regiment	815				
68th Regiment	926				
69th Regiment	844				
71st Regiment	1,472				
72d Regiment	1,498				
73d Regiment	883				
74th Regiment	734				
75th Regiment	916				
76th Regiment	885				
77th Regiment	907				
78th Regiment	967				
79th Regiment	991				
81st Regiment	887				
82d Regiment	928				
83d Regiment	994				
84th Regiment	946				
85th Regiment	975				
87th Regiment	973				
88th Regiment	908				
90th Regiment	858				
91st Regiment	884				
93d Regiment	960				
95th Regiment	972				
96th Regiment	958				
97th Regiment	810				
98th Regiment	924				
99th Regiment	932				
100th Regiment	933				
101st Regiment	885				
102d Regiment	980				
103d Regiment	1,033				
104th Regiment	973				
105th Regiment	921				
106th Regiment	914				
107th Regiment	887				
109th Regiment	862				
110th Regiment	893				
111th Regiment	951				
114th Regiment	953				
115th Regiment	769				69,753
1st Regiment		1,044			
2d Regiment		974			
3d Regiment		1,073			
4th Regiment		1,008			
5th Regiment		1,016			
6th Regiment		1,016			
7th Regiment		962			
8th Regiment		1,069			
9th Regiment		1,030			
10th Regiment					
11th Regiment		1,069			
12th Regiment		992			
13th Regiment		956			12,209
1st Regiment			747		
2d Regiment			1,070		1,817
6 batteries			681		681
1862.					
116th Regiment	630				
118th Regiment	1,016				
119th Regiment	930				
121st Regiment	813				
138th Regiment	906				
139th Regiment	953				
140th Regiment	982				
141st Regiment	969				
142d Regiment	920				
143d Regiment	1,014				
145th Regiment	988				
147th Regiment	285				
148th Regiment	976				
149th Regiment	916				
150th Regiment	914				
157th Regiment	486				13,698
1 company				103	103

THREE-YEARS—Continued.

Arm of service.	Infantry.	Cavalry.	Artillery.	Engineers.	Total.
1862.					
3d Regiment	.....	.....	1,015	.....	1,015
5 batteries	.....	.....	570	.....	570
14th Regiment	.....	1,242	.....	.....	.....
15th Regiment	.....	1,114	.....	.....	.....
16th Regiment	.....	1,158	.....	.....	.....
17th Regiment	.....	1,253	.....	.....	.....
18th Regiment	.....	1,041	.....	.....	5,808
10 independent companies	.....	920	.....	.....	920
Total	.....	.....	.....	.....	108,574

NINE-MONTHS.

Infantry.	Total.	Infantry.	Total.
122d Regiment	964	133d Regiment	1,004
123d Regiment	1,025	134th Regiment	975
124th Regiment	974	135th Regiment	996
125th Regiment	963	136th Regiment	917
126th Regiment	984	137th Regiment	941
127th Regiment	1,012	151st Regiment	969
128th Regiment	950	153d Regiment	993
129th Regiment	992	154th Regiment	933
130th Regiment	1,005	156th Regiment	983
131st Regiment	1,010		
132d Regiment	985	Total	18,884

NINE-MONTHS (DRAFTED).

Arm of service.	Infantry.	Cavalry.	Total.	Arm of service.	Infantry.	Cavalry.	Total.
165th Regiment	977	.....	.....	175th Regiment	885	.....	.....
166th Regiment	1,023	.....	.....	176th Regiment	941	.....	.....
167th Regiment	938	.....	.....	177th Regiment	859	.....	.....
168th Regiment	1,017	.....	.....	178th Regiment	904	.....	.....
169th Regiment	957	.....	.....	179th Regiment	813	.....	12,752
171st Regiment	849	.....	.....	6 independent companies	.....	579	579
172d Regiment	862	.....	.....				
173d Regiment	873	.....	.....				
174th Regiment	854	.....	.....	Total	.....	.....	13,331

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 3, 1863.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
September 2, 1863.

Maj. Gen. R. C. SCHENCK,
Commanding Middle Department, Baltimore, Md.:

GENERAL: It is reported on good authority that Colonel Birney's recruiting agents are creating trouble in the neighborhood of Eastern

Maryland by interfering with slaves. You will please direct Colonel Birney to immediately revoke all authority given civilians to act as recruiting agents. None but commissioned officers will be employed on such duty. Similar instructions were sent Colonel Birney by letter on the 28th ultimo, but they do not appear to have been followed.

By order:

C. W. FOSTER,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 2, 1863.

GOVERNOR STATE OF MICHIGAN:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include May 26, 1863, the date of the exhibit.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:	
Quota under calls of 1861	21,857
Quota under calls of 1862	11,686
Excess	7,325
	40,868
Furnished:	
Under calls of 1861—	
16 regiments of infantry	15,196
Mechanics and Engineer Regiment	851
Stanton Guards and provost guard	202
Brady Sharpshooters	84
4 companies, 1st and 2d Regiments, Berdan's Sharpshooters	349
3 regiments of cavalry (1st, 2d, and 3d)	3,364
Independent batteries of artillery up to date	1,745
Recruits for all arms of service up to date	2,435
Under call 300,000 volunteers, 1862—	
11 regiments of infantry	10,454
5 regiments of cavalry	5,688
Batteries of artillery	None.
	40,868

NINE-MONTHS.

Due: Quota 300,000 militia	11,686
Furnished	None.
Deficiency	11,686

The above statement is made from the muster-rolls on file up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.	Mechanics and Engineers.	Brady Sharpshooters.	Stanton and provost guards.	Berdan's Sharpshooters.	Total.
1861.								
1st Regiment	757							
2d Regiment	1,045							
3d Regiment	1,039							
4th Regiment	1,022							
5th Regiment	912							
6th Regiment	953							
7th Regiment	918							
8th Regiment	912							
9th Regiment	932							
10th Regiment	923							
11th Regiment	989							
12th Regiment	994							
13th Regiment	929							
14th Regiment	983							
15th Regiment	873							
16th Regiment	1,015							15,196
Guards						202		202
1 company					84			84
4 companies							349	349
1 regiment				851				851
1st Regiment		1,131						
2d Regiment		1,112						
3d Regiment		1,121						3,364
Independent batteries			1,745					1,745
1862.								
17th Regiment	966							
18th Regiment	991							
19th Regiment	990							
20th Regiment	1,005							
21st Regiment	1,005							
22d Regiment	992							
23d Regiment	973							
24th Regiment	1,027							
25th Regiment	893							
26th Regiment	903							
27th Regiment	709							10,454
4th Regiment		1,228						
5th Regiment		1,302						
6th Regiment		1,212						
7th Regiment		895						
8th Regiment		1,051						5,688
Total								37,983

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
May 26, 1863.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 2, 1863.

GOVERNOR STATE OF MINNESOTA:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include June 10, 1863, the date of the exhibit.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:	
Quota under calls 1861	4,899
Quota under call July 2, 1863	2,681
Excess	2,404
	9,984
Furnished:	
Under calls of 1861—	
5 regiments of infantry	4,526
2 companies of artillery	298
1 company of sharpshooters	103
Recruits for all arms (1861 and 1862)	530
Under call of July 2, 1862—	
5 regiments of infantry	4,527
Recruits (see above)	None.
	9,984
1 regiment of cavalry (twelve-months, 1862)	1,167

NINE-MONTHS.

Due: Quota under call 300,000 militia	2,681
Furnished	None.
Deficiency	2,681

The above statement is made from the muster-rolls on file up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.	Sharpshooters.	Total.
1861.					
1st Regiment	997				
2d Regiment	885				
3d Regiment	908				
4th Regiment	869				
5th Regiment	867				4,526
2 companies			298		298
1 company				103	103
1862.					
6th Regiment	934				
7th Regiment	914				
8th Regiment	913				
9th Regiment	916				
10th Regiment	850				4,527
Total					9,454

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 10, 1863.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 2, 1863.

GOVERNOR STATE OF WISCONSIN:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include June 30, 1863, the date of the exhibit.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:	
Quota under calls of 1861	21,753
Quota under call July 2, 1862	11,904
Excess	5,298
	38,955
Furnished:	
Under calls of 1861—	
20 regiments of infantry	19,609
3 regiments of cavalry	3,284
1 company Berdan's Sharpshooters	102
12 batteries of artillery (1 heavy included)	1,583
Recruits for all arms	147
Under call of July 2, 1862—	
18 regiments of infantry	12,560
Recruits for all arms	1,670
	38,955

NINE-MONTHS.

Due: Quota under call for 300,000 militia	11,904
Furnished: 1 regiment of infantry (84th)	958
Deficiency	10,946

The above statement is made from the muster-rolls on file up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.	Sharpshooters.	Total.
1861.					
1st Regiment	936				
2d Regiment	1,041				
3d Regiment	979				
4th Regiment	1,066				
5th Regiment	1,042				
6th Regiment	1,052				
7th Regiment	1,023				
8th Regiment	996				
9th Regiment	924				
10th Regiment	951				
11th Regiment	1,042				
12th Regiment	1,058				
13th Regiment	961				
14th Regiment	983				
15th Regiment	890				
16th Regiment	1,029				
17th Regiment	930				
18th Regiment	955				
19th Regiment	896				
20th Regiment	945				19,609
1st Regiment		1,191			
2d Regiment		1,098			
3d Regiment		995			3,284
1 company				102	102
12 batteries			1,583		1,583
1862.					
21st Regiment	995				
22d Regiment	1,013				
23d Regiment	996				
24th Regiment	1,004				
25th Regiment	1,021				
26th Regiment	988				

THREE-YEARS—Continued.

Arm of service.	Infantry.	Cavalry.	Artillery.	Sharpshooters.	Total.
1862.					
27th Regiment	892				
28th Regiment	942				
29th Regiment	961				
30th Regiment	908				
31st Regiment	952				
32d Regiment	896				
33d Regiment	892				12,560
Total					87,138

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 30, 1863.

EXECUTIVE MANSION,
Washington, September 3, 1863.

Hon. JAMES C. CONKLING,
Springfield, Ill.:

I am mortified this morning to find the letter to you botched up in the Eastern papers, telegraphed from Chicago. How did this happen?

A. LINCOLN.

CIRCULAR.] WAR DEPT., ADJUTANT-GENERAL'S OFFICE,
*Washington, September 3, 1863.**

GOVERNOR OF PENNSYLVANIA:

SIR: To the end that all men from your State mustered into the service of the United States may be properly credited, I have the honor to request that Your Excellency will hereafter cause this office to be furnished with a quarterly return, or list, showing the number of volunteers by regiments, batteries, independent companies, and recruits for regiments in the field mustered into the U. S. service during the quarter. I respectfully ask that the return shall embrace the numerical or other designation of each organization, its strength in officers and men, and length of term for which mustered. The first return should embrace only the men your records bear as charged to the United States to include September 30 (end of present quarter), and who were not included in the list furnished by your direction, in answer to a letter from this office of date June 2, 1863.

I have the honor, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

(Same to Governors of Wisconsin, New York, Massachusetts, Michigan, Rhode Island, Vermont, Illinois, Minnesota, Iowa, Ohio, New Jersey, Missouri, New Hampshire, Delaware, Connecticut, Maryland, West Virginia, Maine, Indiana.)

* Some of these circulars were dated September 5.

SPECIAL ORDERS, No. 50.

NEW ORLEANS, LA., *September 3, 1863.*

All special powers heretofore accorded to Brig. Gen. Daniel Ullmann, U. S. Volunteers, by authority of the War Department are hereby revoked. He will report himself in his capacity as brigadier-general of volunteers to Maj. Gen. N. P. Banks, U. S. Volunteers, commanding Department of the Gulf.

By order of the Secretary of War:

L. THOMAS,
Adjutant-General.

INDIANAPOLIS, *September 3, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

There are between 100 and 200 Irish Catholics who were conscripted into the rebel Army now in Camp Morton who desire to volunteer into the Thirty-fifth Irish Indiana Regiment. Colonel Mullen and Father Cooney, chaplain, are here and desire to take them back with them. Will you please suspend the recent order requiring their rolls to be sent to Washington and allow General Willcox to investigate the matter to facilitate the business? Governor Morton is absent.

W. R. HOLLOWAY,
Governor's Private Secretary.

WAR DEPARTMENT,
Washington City, September 4, 1863.

Brig. Gen. M. C. MEIGS,
Quartermaster-General, Washington, D. C.:

GENERAL: Having under instructions of the 28th ultimo visited the Army of the Potomac, you will proceed to make the further inspections prescribed by these instructions. You will visit the principal armies in the field and the principal depots of supplies in the Middle States, and in the South and Southwest so far as time will permit, aiming to return to this city in season to prepare the annual report of your department. If possible, it is desired that your tour should extend to the Army of the Cumberland and to the depots at Memphis and Vicksburg. On the way the depots on the Susquehanna and Ohio and that at Saint Louis should be visited. All commanding officers will, upon presentation of this order, or of an official copy thereof, afford you every facility in their power to inspect the condition of the department of which you have charge, and the condition of the equipment and outfit of the troops in quarters, tents, clothing, baggage, ammunition, and ambulance wagons, animals, and other supplies furnished by the Quartermaster's Department. The troops should be visited in their camps and portions of them reviewed and inspected on parade. You will report from time to time the result of your observations, and will give such orders in relation to the Quartermaster's Department as you find necessary for the correction of abuses and errors and for promoting efficiency and economy in its operations. Your attention is particularly directed to the subject of steam-boat navigation on the Ohio and Mississippi. You will keep this office informed by telegraph of your address.

Very respectfully, your obedient servant,

P. H. WATSON,
Acting Secretary of War.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 4, 1863.

Maj. J. W. T. GARDINER,
Actg. Asst. Prov. Mar. Gen. for Maine, Augusta, Me.:

MAJOR: As soon as the day for commencing the draft in any district under your charge is determined you will at once, both by telegraph and mail, notify the Governor of the State thereof, in form as follows:

OFFICE ACTING ASSISTANT PROVOST-MARSHAL-GENERAL,
———, *1863.*

His Excellency Governor of ———:

You are notified that the draft will commence in the ——— district, at ——, on the —— day of ———, 1863, at —— a. m. of said day. Please acknowledge receipt of this by telegraph and mail.

———— ————,
Acting Assistant Provost-Marshal-General.

You will also direct the provost-marshals under your charge to notify the Governor in the same manner and by the same form so soon as the day for commencing the draft in their respective districts shall have been definitely determined.

I am, major, very respectfully, your obedient servant,
JAS. B. FRY,
Provost-Marshal-General.

(Same to other acting assistant provost-marshals-general throughout the country.)

CAMBRIDGE, *September 4, 1863.*

His Excellency A. LINCOLN,
President of the United States:

MY DEAR SIR: With a mind far from being at rest with itself I address you; and while you may think it gratuitous, perhaps, I feel that I have a right, as one that has labored hard and endured much to sustain our glorious Union, to address you as the Executive head of the Government, and especially do I feel freedom, knowing that I have honestly and ardently given you my feeble aid in discharge of your arduous duties as President of the United States. To proceed, I assure you, my dear sir, I have but one object in view, viz, the welfare of our common country, your own, and that of the loyal State of Maryland; and that these may be subserved as best we can do it, it becomes my duty, as one connected temporarily with you for the time being, to keep you advised of all that may aid you in the fulfillment of the delicate task that has been imposed upon you. You, sir, are not only the civil commander of the Union, but Commander-in-Chief of the Army and Navy of the United States, upon which so much depends, and upon which, in conjunction with yourself, hang the destiny of our great country. True, sir, the State of Maryland is but an integral part of the United States, and yet her course has contributed much to the strength and support of the Union as it is; and at this juncture, the rebellion far from being overcome, we feel as if all that can be done to sustain the loyal people of this peculiarly situated State should be done; and as there is much excitement here growing out of the recruiting of colored troops, and as some of the recruiting officers are acting rather indiscreetly, I fear, by taking slaves in their recruits, and the slaves of loyal as well as disloyal persons, and at a season when our farmers require a greater amount of labor than at

any other period, fodder saving, wheat seeding, and corn gathering now at hand, the fear of losing their slaves suddenly and of losing their crops, and the prejudice created by the enemies of the Government against your Administration as an abolition Administration, and this directly preceding our State election, is creating much difficulty here. No objection is made to the using negroes in the Army; it is only to the means used to recruit, as far as I can learn. Colonel Birney has stated to some of our friends in Talbot, the adjoining county to us, that he is to come over to our shore shortly with some colored companies in uniform, &c., to establish his headquarters for recruiting; and that he is to enlist slaves as well as free people is creating a great deal of anxiety among the people. A deputation of good and respectable Union men of Talbot County came over to see me to-day, and are much troubled at the course things are taking, and say it will operate against us if persisted in. I say these were Union men because I know them to be so. They represent that quite a number of slaves was taken from Miles River Ferry in that county a few days since and their owners protesting against it Captain Lowndes had his negroes returned to him, whilst others were disregarded in their claims; and no one has faith in the loyalty of Lowndes.

Major Kramer was the officer that took these slaves away, as these gentlemen inform me. I do and have believed that we ought to use the colored people, after the rebels commenced to use them against us. What I desire now is that, if you can consistently do so, you will stop the array of the uniformed and armed negroes here, let the recruiting go on as it is, and all will be well. There is no necessity for the troops in uniform, &c., coming to our shores, as we are encouraging the enlistment of colored troops here and are succeeding well.

Very truly, your obedient servant, &c.,

THOS. H. HICKS.

COLUMBUS, OHIO, *September 4, 1863.*

Maj. THOMAS M. VINCENT,
Assistant Adjutant-General, Washington, D. C.:

DEAR SIR: I have the honor to acknowledge the receipt of your communication of the 31st ultimo, inclosing an exhibit showing the number of troops from this State to June 10, 1863. Upon comparing your exhibit with the muster-in rolls on file in this office I find inaccuracies, as per statement in red ink herewith inclosed * amounting in the aggregate to 5,093, for which I claim credit.

Very respectfully, yours,

DAVID TOD,
Governor.

GENERAL ORDERS, No. 300.

WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, September 5, 1863.

EXECUTIVE MANSION,
Washington City, September 4, 1863.

Ordered, That the executive order, dated November 21, 1862, prohibiting the exportation from the United States of arms, ammunition, or munitions of war, under which the commandants of departments were, by order of the Secretary

* Omitted.

of War, dated May 18, 1863, directed to prohibit the purchase and sale for exportation from the United States of all horses and mules within their respective commands, and to take and appropriate to the use of the United States any horses, mules, and live-stock designed for exportation, be so far modified that any arms heretofore imported into the United States may be re-exported to the place of original shipment, and that any live-stock raised in any State or Territory bounded by the Pacific Ocean may be exported from any port of such State or Territory.

ABRAHAM LINCOLN.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR No. 79. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., September 5, 1863.*

The following-named officers are announced as on duty in this office, and are empowered to conduct, under direction of the Provost-Marshal-General, the ordinary correspondence connected with their respective branches of business, viz:

General and miscellaneous business.—Col. George D. Ruggles, additional aide-de-camp and assistant adjutant-general; Capt. Henry Stone, assistant adjutant-general of volunteers.

Disbursements, accounts, returns, &c., under the enrollment act.—Maj. S. F. Chalfin, assistant adjutant-general, in charge; Capt. H. B. Hendershott, Second Artillery, disbursing officer; Capt. James McMillan, Second Infantry, disbursing officer; Capt. H. C. Wood, Eleventh Infantry, disbursing officer; Capt. Samuel B. Lawrence, Sixteenth Infantry, disbursing officer; Capt. F. H. Barroll, Second Infantry, disbursing officer.

Enrollment, &c.—Capt. Henry E. Maynadier, Tenth Infantry.

Deserters, descriptive lists, &c.—Capt. William R. Pease, U. S. Army.

Invalid Corps.—Col. Richard H. Rush, Sixth Pennsylvania Cavalry.

Accounts of disbursing officers under appropriation for collecting, drilling, and organizing volunteers.—Maj. Chauncey McKeever, assistant adjutant-general.

All official communications for this Bureau must be addressed to the Provost-Marshal-General. The envelopes should be marked "Official business," and should show to which branch the communication relates by being marked "Disbursements under enrollment act," "Enrollment," "Deserters," "Invalid Corps," or otherwise, as the case may be.

JAMES B. FRY,
Provost-Marshal-General.

NEW ORLEANS, LA., *September 5, 1863.*

Hon. E. M. STANTON,
Secretary of War:

SIR: I accompanied General Grant to this place and have here had an opportunity of looking into the organization of the colored troops. The system adopted here was to organize the blacks into regiments of 500 men, that they might be well set up as soldiers before receiving

raw recruits. I found twenty regiments of infantry and four of engineers organized on this plan, numbering in the aggregate 12,000. General Ullmann's brigade of five regiments is included in this number. The engineer troops are designed to work on fortifications, but are armed with muskets. As the men have attained a good degree of efficiency in drill and discipline, I have directed that they be filled up to the maximum and that no additional regiments be made until this is done. I calculate on getting the required number in Texas by the operations of General Banks. This will give in the Department of the Gulf 25,000 men. As General Ullmann's regiments will receive recruits like the others, I have revoked by Special Orders, No. 50 (herewith inclosed *), all his special powers, and directed him to report to General Banks as a brigadier-general. This meets the views of General Banks.

At Natchez two full regiments, one of artillery, the other of infantry, have been formed. On my way up the river I will give orders for the organization of others.

The superintendent of contrabands is now inspecting the several camps containing the women and children, and as soon as I can confer with him will report fully concerning them. All the superior officers with whom I have consulted agree that they should be made to do such work as is suitable to their sex and age, and with this view I will hire them to Union planters to gather the crops.

General Grant yesterday, in returning from a review of the Thirteenth Army Corps, met with an accident which will detain us two or three days. His horse was restive, and a carryall passing at the moment struck the horse in the shoulder. The general maintained his seat in the saddle, but the horse fell with violence on him, injuring the muscles of the right leg from the knee to the hip. Fortunately no bones were injured.

I have the honor to be, very respectfully, your obedient servant,

L. THOMAS,
Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 5, 1863.

GOVERNOR STATE OF MAINE:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include May 26, 1863, the date of the exhibit.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:

Quota under calls of 1861	17,560
Quota under call for 300,000 volunteers, July 2, 1862	9,609
	27,169

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*See p. 766.

Furnished:	
Under calls of 1861—	
14 regiments of infantry	12,414
1 regiment of cavalry	1,056
6 batteries of artillery	733
Recruits (1861 and 1862)	1,762
Under call July 2, 1862—	
5 regiments of infantry	4,921
1 battery of artillery	140
Deficiency	6,143
	27,169

NINE-MONTHS.

Due: Quota under call 300,000 militia	9,609
Furnished: 8 regiments of infantry, 1 company of sharpshooters	7,585
Deficiency	2,024

The above statement is made from the muster-rolls on file up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.	Sharpshooters.	Total.
1861.					
2d Regiment	772				
3d Regiment	987				
4th Regiment	804				
5th Regiment	996				
6th Regiment	880				
7th Regiment	809				
8th Regiment	820				
9th Regiment	984				
10th Regiment	851				
11th Regiment	933				
12th Regiment	861				
13th Regiment	895				
14th Regiment	880				
15th Regiment	942				12,414
1st Regiment		1,056			1,056
6 independent batteries			733		733
1862.					
16th Regiment	968				
17th Regiment	1,019				
18th Regiment	985				
19th Regiment	988				
20th Regiment	961				4,921
1 independent battery			140		140
Total					19,264

NINE-MONTHS.

Arm of service.	Infantry.	Sharpshooters.	Total.
21st Regiment	898	.....	.....
22d Regiment	913	.....	.....
23d Regiment	938	.....	.....
24th Regiment	922	.....	.....
25th Regiment	961	.....	.....
26th Regiment	910	.....	.....
27th Regiment	933	.....	.....
28th Regiment	989	.....	7,485
1 company	.....	100	100
Total	.....	.....	7,585

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
May 26, 1863.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 5, 1863.

GOVERNOR STATE OF MASSACHUSETTS:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include May 19, 1863, the date of the exhibit.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:	
Quota under calls of 1861	34,868
Quota under call 300,000 volunteers, July 2, 1862	19,080
	53,948
Furnished:	
Under calls of 1861—	
Infantry (1st, 2d, 7th, and 9th to 31st Regiments, inclusive)	26,158
Cavalry	1,857
Artillery (1st to 8th Batteries, inclusive)	1,235
Sharpshooters	208
Recruits up to August, 1862	2,279
Under call of 1862 for 300,000 volunteers—	
Infantry (32d to 41st Regiments, inclusive)	10,123
Artillery (9th to 18th Batteries, inclusive, and three companies heavy artillery)	1,187
Recruits since August, 1862	5,209
Deficiency	5,692
	53,948

NINE-MONTHS.

Due: Quota under call 300,000 militia per General Orders, No. 94	19,080
Furnished: Infantry (3d, 4th, 5th, 6th, and 8th, and 42d to 53d Regiments, inclusive)	16,685
Deficiency	2,395

Statement as taken from the muster-in rolls on file in this office up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Sharpshooters.	Artillery.		Total.
				Light batteries.	Heavy.	
1861.						
1st Regiment	1,047					
2d Regiment	1,046					
7th Regiment	1,046					
9th Regiment	1,047					
10th Regiment	1,047					
11th Regiment	1,050					
12th Regiment	1,055					
13th Regiment	1,021					
14th Regiment	1,305					
15th Regiment	1,040					
16th Regiment	1,003					
17th Regiment	951					
18th Regiment	1,012					
19th Regiment	852					
20th Regiment	762					
21st Regiment	1,007					
22d Regiment	1,050					
23d Regiment	1,062					
24th Regiment	989					
25th Regiment	1,032					
26th Regiment	1,050					
27th Regiment	983					
28th Regiment	950					
29th Regiment	881					
30th Regiment	929					
31st Regiment	941					26,158
Cavalry		1,857				1,857
1st Battery				170		
2d Battery				152		
3d Battery				157		
4th Battery				154		
5th Battery				156		
6th Battery				139		
7th Battery				152		
8th Battery				155		1,235
Sharpshooters			208			208
1862.						
32d Regiment	1,018					
33d Regiment	942					
34th Regiment	1,027					
35th Regiment	1,018					
36th Regiment	1,015					
37th Regiment	979					
38th Regiment	1,018					
39th Regiment	987					
40th Regiment	992					
41st Regiment	1,127					10,123
9th Battery				152		
10th Battery				156		
11th Battery				152		
12th Battery				136		
13th Battery				148		744
1st Company					147	
2d Company					140	
3d Company					156	443
Total	36,281	1,857	208	1,979	443	40,768

NINE-MONTHS.

Infantry.	Total.	Infantry.	Total.
3d Regiment	1,007	47th Regiment	1,024
4th Regiment	982	48th Regiment	996
5th Regiment	997	49th Regiment	948
6th Regiment	913	50th Regiment	964
8th Regiment	962	51st Regiment	961
42d Regiment	998	52d Regiment	940
43d Regiment	1,024	53d Regiment	958
44th Regiment	1,023		
45th Regiment	1,005		16,685
46th Regiment	983		

THOMAS M. VINCENT.
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
May 19, 1863.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 5, 1863.

GOVERNOR STATE OF NEW JERSEY:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include May 19, 1863, the date of the exhibit.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:	
Quota under calls of 1861	19,152
Quota under call of 1862 for 300,000 volunteers	10,478
	29,630
Furnished:	
Under calls of 1861—	
10 regiments infantry (1st to 10th inclusive), 1 regiment cavalry, and 2 batteries artillery	10,498
Under call July 2 for 300,000 volunteers—	
Infantry (11th to 15th Regiments, inclusive)	4,751
Recruits up to date (three-years')	1,800
Deficiency	12,581
	29,630

NINE-MONTHS.

Due:	
Quota under call for 300,000 militia	10,478
Excess	309
	10,787
Furnished:	
Under call for 300,000 militia (General Orders, No. 94, 1862), 21st to 31st Regiments, inclusive	10,787

Statement as shown by the muster-in rolls on file up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.	Total.
1861.				
1st Regiment	1,068			
2d Regiment	1,035			
3d Regiment	1,087			
4th Regiment	721			
5th Regiment	812			
6th Regiment	981			
7th Regiment	845			
8th Regiment	877			
9th Regiment	1,019			
10th Regiment	872			9,187
1st Regiment		1,000		1,000
2 batteries			311	311
1862.				
11th Regiment	907			
12th Regiment	990			
13th Regiment	899			
14th Regiment	1,000			
15th Regiment	955			4,751
Total				15,249

NINE-MONTHS.

Infantry.	Total.	Infantry.	Total.
21st Regiment	976	28th Regiment	980
22d Regiment	985	29th Regiment	944
23d Regiment	1,004	30th Regiment	1,001
24th Regiment	973	31st Regiment	1,000
25th Regiment	995		
26th Regiment	966	Total	10,787
27th Regiment	1,013		

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
May 19, 1863.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 5, 1863.

Capt. C. C. GILBERT, U. S. Army,
Actg. Asst. Provost-Marshal-General, Philadelphia, Pa.:

CAPTAIN: I inclose herewith letters to the Boards of Enrollment of the Tenth, Eleventh, and Twelfth Districts of Pennsylvania directing that a draft be made in those districts for 2,783, 2,430, and 2,803 men of the first class, respectively. Please forward them at once. You will by yourself and by your inspectors give personal supervision to the draft in the different districts under your charge. You will see that the boards make the draft immediately upon being ordered to do so, and that the drafted men are notified with the least possible delay to appear at district headquarters.

Enrolling officers will perhaps, from their experience, be the most suitable persons to serve these notices; if so, you will have them deputized for this purpose. You will see that drafted men arriving at

district headquarters are immediately directed where to report; that they are properly cared for; that they are promptly and fairly examined by the Board; that immediately thereafter, if not exempted, their names be entered on descriptive rolls of drafted men; that they be at once placed in uniform and furnished with the articles prescribed in paragraph 4, Circular No. 11, from this office, and that as soon as this is done they be sent forward to the general rendezvous in squads of convenient size. You will see that clothing, knapsacks, haversacks, canteens, blankets, knives, forks, spoons, tin cups, and tin plates are provided and on hand at the headquarters of each district in advance of the draft.

If any drafted men, after having been notified to appear at the designated time and place, fail to do so, you will see that they are at once arrested and brought to the district headquarters as deserters.

If any surgeons report to you to aid in the examination of drafted men, you will see that they proceed from district to district whenever and wherever their services may be most required. By their assistance the examination of two men can be carried on at the same time before the Board of Enrollment.

You will see that the regulations in regard to these and all other points touching the draft are observed, and you will take pains by every [means] in your power to anticipate and provide for all wants and emergencies of this special service.

Please acknowledge the receipt of this letter.

I am, captain, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

(Similar letter sent September 25 to Lieutenant-Colonel Hill, inclosing letters to the boards of enrollment of the six districts of the State of Michigan, directing that a draft be made on those districts for 1,235, 1,198, 1,076, 892, 1,022, 1,105 men, respectively, of the first class; October 8 to Major Jeffries, inclosing letters to the Boards of Enrollment of the First, Second, and Third Districts of the State of Maryland, directing that a draft be made on those districts for 2,787, 2,298, and 2,933 men, respectively, of the first class.)

MEMORANDUM.] ADJUTANT-GENERAL'S OFFICE,
Washington, September 7, 1863.

Men who have been detailed to serve permanently in a battery of field artillery will be permitted to re-enlist into that battery if they come under the provisions of General Orders, Nos. 191 and 216, of 1863, from this office; but all other men in service who desire to re-enlist under said orders must do so in the regiments or batteries to which they belong, and no other exception will be made.

SEPTEMBER 25, 1863.

With the view of filling the volunteer batteries in the Army of the Potomac, the commanding general is hereby authorized by the General-in-Chief to select men from the volunteer infantry regiments and drafted forces, assigned to regiments of your command, and permanently transfer them to the batteries.

In exercising this authority the consent of the men must be obtained in all cases.

Men belonging to the organizations and forces of one State must not be transferred to the batteries of another.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR No. 80. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., September 7, 1863.*

Drafted men who fail to report in accordance with the notification served on them, as required by section 12 of the enrollment act, and in consequence subject themselves, under section 13, to punishment as deserters, are not to be considered as a part of "the required number of able-bodied men liable to military duty," which "required number" when obtained entitles the remainder to be discharged under section 16.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 7, 1863.

GOVERNOR STATE OF MARYLAND:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include June 30, 1863, the date of the exhibit.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:	
Quota under calls of 1861	15,578
Quota under call July 2, 1862, for 300,000 volunteers	8,532
	24,110
Furnished:	
Under calls of 1861—	
4 regiments of infantry	2,967
2 regiments of infantry (Eastern Shore)	1,077
2 regiments of infantry (Potomac Home Brigade)	1,562
1 regiment of cavalry	618
4 companies of cavalry	371
3 companies of cavalry (independent)	268
1 company of infantry (Patapsco Guard)	84
1 regiment of infantry (Purnell Legion)	793
Recruits for all arms	1,114
Under call July 2, 1862—	
4 regiments of infantry	2,017
1 battery of artillery	158
Recruits for all arms	1,411
Deficiency	11,670
	24,110

NINE-MONTHS.

Due: Quota under call for 300,000 militia	8,532
Furnished	None.
Deficiency	8,532

The above statement is made from the muster-rolls on file up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.	Total.
1861.				
1st Regiment	544			
2d Regiment	880			
4th Regiment	572			
5th Regiment	971			
1st Potomac Home Brigade	659			
2d Potomac Home Brigade	903			
1 regiment (Purnell Legion)	793			
1 company (Patapsco Guard)	84			
1st Regiment Eastern Shore	742			
2d Regiment Eastern Shore	335			6,483
1st Regiment		618		
4 companies		371		
3 companies (independent)		268		1,257
1862.				
3d Regiment	216			
6th Regiment	666			
7th Regiment	689			
8th Regiment	446			2,017
1 light battery			158	158
Total				9,915

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 30, 1863.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Saint Louis, September 7, 1863.

His Excellency Lieutenant-Governor HALL:

GOVERNOR: The commanding general desires that you call into active service of the Enrolled Missouri Militia a force of 1,000 effective men to garrison the post of Rolla, commanding officers thereof to report to Brigadier-General Davies, commanding District of Rolla, headquarters at Rolla, for a period of not less than thirty days; also for garrison duty, in the District of Saint Louis, 1,000 effective men for the same or longer period of service, to report to Brigadier-General Strong, commanding District of Saint Louis.

Customary supplies will be furnished upon the usual requisitions.

It is of the utmost importance that these men be called into service with the least possible delay.

I am, Governor, very respectfully, your obedient servant,

C. W. MARSH,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 7, 1863.

GOVERNOR STATE OF NEW HAMPSHIRE:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include May 26, 1863, the date of the exhibit.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:	
Quota under calls of 1861	9,234
Quota under call 300,000 volunteers, July 2, 1862	5,053
Excess	441
	14,728
Furnished:	
Under calls of 1861—	
7 regiments of infantry	6,875
3 companies sharpshooters	293
1 battery of artillery	148
4 companies of cavalry (since transferred to 1st Rhode Island)	325
Recruits (three-years'), 1861 and 1862	1,242
Under call July 2, 1862, for 300,000 volunteers—	
6 regiments of infantry	5,845
	14,728

NINE-MONTHS.

Due: Quota under call 300,000 militia	5,053
Furnished: 2 regiments of infantry	1,736
Deficiency	3,317

The above statement is made from the muster-rolls on file up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.	Sharpshooters.	Total.
1861.					
2d Regiment	1,011				
3d Regiment	1,030				
4th Regiment	1,056				
5th Regiment	995				
6th Regiment	887				
7th Regiment	994				
8th Regiment	902				6,875
3 companies				293	293
1 battery			148		148
4 companies		325			325
1862.					
9th Regiment	964				
10th Regiment	929				
11th Regiment	996				
12th Regiment	1,015				
13th Regiment	980				
14th Regiment	961				5,845
Total					13,486

NINE-MONTHS.

Infantry.	Total.
15th Regiment	864
16th Regiment	872
Total	1,736

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
May 26, 1863.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 7, 1863.

His Excellency DAVID TOD,
Governor of Ohio, Columbus, Ohio:

SIR: Orders have this day been sent to the boards of enrollment in the nineteen districts of the State of Ohio directing that a draft be made on those districts for 809, 694, 764, 662, 609, 701, 672, 550, 774, 682, 621, 713, 648, 619, 618, 628, 575, 653, and 662 men, respectively, of the first class.

The records from which calculations were made, as well as the calculations themselves, in determining the quota are on file in this office. They are impartial and claimed to be entirely correct, but if an error should be discovered or pointed out in them it will be duly corrected.

I beg that you will do all in your power to enable the officers acting under me to complete the draft promptly, fairly, and successfully. The acting assistant provost-marshal-general for your State, Colonel Parrott, through whom the orders for draft are sent, will give you any further particulars you may desire.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 7, 1863.

GOVERNOR STATE OF RHODE ISLAND:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include May 19, 1863, the date of the exhibit.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:	
Under calls of 1861	4,955
Excess of three-years'	1,127
Under call of 1862 for 300,000 volunteers	2,712
	8,794
Furnished:	
Under calls of 1861—	
2d, 4th, and 5th Infantry, 1st Cavalry, 1st and 3d Regiments Artillery	5,010
Under call of July 2, 1862—	
7th Infantry (939), 2d Cavalry (714)	1,653
Recruits prior to August, 1862	1,042
Recruits subsequent to August, 1862	1,089
	8,794

NINE-MONTHS.

Due under call 300,000 militia	2,712
Furnished under call 300,000 militia, 11th and 12th Infantry	2,059
Deficiency	653

Statement as shown by the muster-rolls on file up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.	Sharpshooters.	Total.
1861.					
2d Regiment	936				
4th Regiment	862				
5th Regiment	655				2,453
1st Regiment		477			477
1st Regiment			1,150		
3d Regiment			930		2,080
1862.					
7th Regiment	939				939
2d Regiment		714			714
Total					6,663

NINE-MONTHS.

Infantry.	Total.
11th Regiment	1,009
12th Regiment	1,050
Total	2,059

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
May 19, 1863.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 7, 1863.

GOVERNOR STATE OF WEST VIRGINIA:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include June 30, 1863, the date of the exhibit.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:	
Quota under calls 1861	8,497
Quota under call July 2, 1862	4,650
Excess	3,427
	16,574
Furnished:	
Under calls of 1861—	
11 regiments of infantry	9,119
3 regiments of cavalry	2,092
Recruits for all arms	1,475
Under call July 2, 1862—	
5 regiments of infantry	3,888
	16,574

NINE-MONTHS.

Due: Quota under call 300,000 militia..... 4,650
Furnished..... None.

Deficiency..... 4,650

The above statement is made from the muster-rolls on file in this office up to date.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Total.
1861.			
1st Regiment	895		
2d Regiment	1,031		
3d Regiment	922		
4th Regiment	858		
5th Regiment	867		
6th Regiment	1,472		
7th Regiment	452		
8th Regiment	620		
9th Regiment	607		
10th Regiment	921		
11th Regiment	474		9,119
1st Regiment		616	
2d Regiment		816	
3d Regiment		660	2,092
1862.			
12th Regiment	1,130		
13th Regiment	486		
14th Regiment	919		
15th Regiment	503		
16th Regiment	850		3,888
			15,099

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 30, 1863.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,
Madison, September 7, 1863.

Cpl. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: I have received from the office of the Adjutant-General U. S. Army a statement showing the credit given by that department to this State for the volunteers and drafted men heretofore furnished, by which I am enabled to learn the basis of calculation under which the excess of Wisconsin is placed at 2,561 men, as stated in yours of late date. Inclosed is a copy of a letter sent this day to that department, stating briefly the claim of this State to a greater excess than is conceded. I do not notice in any of the letters made public from your Bureau, or in the orders given for the draft in other States, that any greater proportion of the first class of enrolled men is ordered to be drafted in States which have not furnished their quotas than in those which have filled them or which have furnished an excess. One-fifth seems to be the proportion drawn in all cases. If I am correct in this, the unfairness of the system which seems to have been adopted is presented in a still clearer light. It occurs to me that the inequality which presents itself might have been avoided, may still be avoided in the States where the draft has not taken place, by dis-

regarding the matter of previous calls and taking the numbers furnished by the State furnishing the least number of men in proportion to population as a minimum basis, give the States credit for so much as they may have exceeded that number, and draft accordingly.

Under this system there would be a reasonable approach to equality, while under the one thus far pursued, so far as I am able to understand it, States which have furnished an excess can get only a very small credit for that excess, and, to answer the demands of Government, must in reality divide among them and make up for the deficiency of other States.

Yours, respectfully,

EDWARD SALOMON,
Governor of Wisconsin.

[Inclosure.]

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,
Madison, September 7, 1863.

THOMAS M. VINCENT,
Assistant Adjutant-General, U. S. Army:

SIR: Your communication of the 2d instant, inclosing statement of volunteers and drafted men furnished by this State to July 1, 1863, is received.

The figures given in this statement differ considerably from the numbers as drawn from the original rolls, filed in the office of the adjutant-general of this State, and do not give us credit for two or three organizations regularly mustered. Nor do they give us credit at all for about 800 men furnished as substitutes for drafted men, but mustered by U. S. mustering officers into the old regiments for three years. The detailed statement and explanations for this claim will be forwarded from the adjutant-general's office direct to you.

Very respectfully,

EDWARD SALOMON,
Governor.

GENERAL ORDERS, No. 304. } WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, September 10, 1863.

I. So much of General Orders, No. 173, War Department, 1863, as authorizes the transfer of commissioned officers (disabled in service) from active regiments to the Invalid Corps, by corps commanders, is rescinded.

II. Regimental officers, unfit for active service, who desire to enter the Invalid Corps, must, in all cases, make application for appointment. This application must be addressed to the Provost-Marshal-General; must contain a full military history of the applicant, and should be accompanied by a surgeon's certificate stating the nature and degree of disability, and that he is fit for service in the Invalid Corps; and recommendations, of a positive character, from at least three officers of rank under whom he has served, as to his military qualifications and fitness for the position.

III. Officers who have heretofore been transferred on invalid rolls, and who have not yet received their appointments from the Secretary of War, must make application in accordance with the provisions of this order.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

SEPTEMBER 10, 1863.

Whether drafted men who fail to report are to be considered as part of "the required number of able-bodied men liable to military duty."

Opinion.—The construction of the law as announced in Circular No. 80 is fully concurred in. Drafted men cannot be treated as a part of the "required number of able-bodied men" until they have been examined and found physically capable of military service. The expression "obtained from the list of those drafted" implies, first, that the persons referred to are in the possession of the Government; and secondly, that they have been found capable of and subject to perform military duty. This necessarily excludes from the computation deserters who have failed to report.

J. HOLT,
Judge-Advocate-General.

CIRCULAR.] OFFICE OF THE SIGNAL OFFICER,
Washington, September 10, 1863.

SIR: I have the honor to inform you that there are now being sent to you, for the use of the officers of your command, cipher disks and instructions for their use. Hereafter all messages of any importance must be transmitted in cipher. There is evidence at this office that the enemy can read our messages sent in the usual manner with the common code, and it is enjoined upon every officer to see that he, for his part, does not allow himself by ignorance or carelessness to become thus an informant of the enemy. With the strict observance of the cipher rules the interpretation of the signals is an absolute impossibility. Chief signal officers are charged that it is their most important duty to see that our ciphers are intelligently used by every officer of their command. Each disk will be numbered, and they will be issued to chief signal officers by their numbers, and these officers will in their turn issue to their subordinates by number, that the responsibility for the care of the disk may be always traced. An officer will allow anything to fall into the hands of an enemy in preference to his disks. The point of honor must be to keep inviolate this secret placed in his charge by the Government, and in case of capture it must at all hazards be destroyed before the enemy can obtain it. The officer must feel that he cannot exercise too great a care, and that his life must be risked rather than fail in this discharge of his duty.

By order of the Signal Officer of the Army:

I am, sir, very respectfully, your obedient servant,
HENRY S. TAFFT,
Captain and Signal Officer.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 10, 1863.

PROVOST-MARSHAL-GENERAL U. S. ARMY,
Washington, D. C.:

SIR: I have the honor to inform you that with the aid of the statement received the 7th instant from the Governor of Ohio, in answer to a copy of the exhibit of June 10 sent him the 31st ultimo, I have re-examined our records and find that Ohio is entitled to a credit of 4,361 three-years' volunteers in addition to the number already reported to you. The troops represented by this number entered service prior to June 10, 1863, the date of the first exhibit. They

were not previously reported in consequence of muster-in rolls not being filed. In the case of the Seventy-first Regiment credited herein (879 men) we have not received the muster-in rolls, and the first rolls here filed for pay show only about 350 men; yet I believe the number 879 claimed for it by the Governor is correct, and have, therefore, credited accordingly.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

Exhibit of additional troops furnished by the State of Ohio and reported to the Provost-Marshal-General by letters of date September 1 and September 10, 1863:

Mustered in prior to June 10, 1863, and not embraced in statement of that date	4,361
Mustered between June 10 and August 31, 1863:	
For three years	4,401
For six months=three years	450
Total, three-year standard	9,212

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
September 10, 1863.

GENERAL ORDERS, No. 305. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, September 11, 1863.*

Paragraph VIII, of General Orders, No. 191, from this office, relative to recruiting veteran volunteers is hereby amended to read as follows:

After the expiration of ninety days from this date (June 25) volunteers serving in three-years' organizations who may re-enlist for three years or the war in the companies or regiments to which they now belong, and who may have at the date of re-enlistment less than one year to serve, shall be entitled to the aforesaid bounty and premium of $402, to be paid in the manner herein provided for other troops re-entering the service.

The new term will commence from date of re-enlistment.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

HDQRS. COMR. FOR ORGANIZATION OF COLORED TROOPS,
Nashville, Tenn., September 11, 1863.

Hon. E. M STANTON,
Secretary of War, Washington, D. C.:

SIR: I arrived at headquarters Department of the Cumberland on Tuesday at 3 p. m. and immediately presented your letter to Major-General Rosecrans. He received me very kindly, and I remained with him until 1 o'clock a. m., in conversation during the intervals of business. He was very free in his expression of opinions, but explicit in his directions, sociable, and I think perfectly reliable; is heartily in favor of the employment of colored troops and will do all he can to forward the work.

General Garfield received me very cordially, but, being constantly engaged in business, had no time for conversation; my full understanding with General Rosecrans and Captain Young, commissary of musters, rendered it unnecessary. He sent his respects to you, with the assurance he would give all the aid in his power.

In Captain Young, who was lately at Washington on business connected with this service, I hope to find an able co-operator. He is thoroughly in earnest and understands the necessities of his department. I expect to receive very valuable assistance from him.

General Rosecrans directed me to ask:

First. Can slaves of loyal citizens of Tennessee be enlisted in the Army without the consent of their masters?

Second. Will all enlisted men become freemen at the expiration of their term of military service?

Third. Do non-commissioned officers receive higher pay than privates? If so, how much?

A reply to these questions by telegram to me at Nashville is desirable. I think this will prove the best department in the country in which to commence thorough work. Its organization is said to be good, and I find the officers pride themselves on the exact performance of their duties. The citizens are in a much better state of preparation for the change than I had expected.

The negroes are physically superior to any I have seen, and appear bright and intelligent.

General Rosecrans directed me to send North for colored men who could read and write a fair hand for non-commissioned officers, twenty to each regiment. I have already taken measures to obtain them. I inclose copy of my instructions.

I have the honor to be, very respectfully, your obedient servant,

GEORGE L. STEARNS,
Maj. and Asst. Adjt. Gen., U. S. Vols.,
Commissioner for Organization of Colored Troops.

[Inclosure.]

SPECIAL FIELD ORDERS, No. 243.

HDQRS. DEPT. OF THE CUMBERLAND,
Trenton, Ga., September 8, 1863.

* * * * * * *

Maj. George L. Stearns, assistant adjutant-general, having reported to these headquarters, in accordance with orders of the Secretary of War, to take charge of the organization of colored troops in this department, is hereby ordered to proceed to Nashville and such other points within this department as may in his judgment be advisable for the accomplishment of the duty with which he is charged. He will be governed in the enlistment and organization of colored troops by law and the regulations established by the War Department, reporting any difficulties he may encounter to these headquarters and applying to the War Department for any instructions he may require.

The quartermaster's department will furnish transportation on his requisition for himself, his assistants, recruiting officers, and recruits, and will issue clothing and camp and garrison equipage on requisitions approved by him.

The subsistence department will issue rations to recruits for colored regiments on provision returns approved by him.

A mustering officer will be ordered to report to him for duty.

* * * * * * *

By command of Major-General Rosecrans:

H. M. CIST,
Acting Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 11, 1863.

GOVERNOR OF IOWA,
Davenport, Iowa:

SIR: I have the honor to acknowledge the receipt of your letter of the 4th instant in reference to the value given nine-months' men in determining the excess of troops furnished by your State. In reply I am directed to inform you that one three-years' volunteer is considered equivalent to four nine-months'; 10,570 nine-months' men would therefore, be considered equivalent to 2,642 three-years'. This number deducted from 16,539, the excess of three-years', would leave 13,897 men of that class in excess of all calls.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

NEW ORLEANS, LA., *September 11, 1863.*

Maj. Gen. N. P. BANKS,
Commanding Department of the Gulf, New Orleans:

GENERAL: Brigadier-General Ullmann represented to me a few days since that he desired to raise a regiment of colored troops, the officers of which, or some of them, were to be of African descent. To this I objected, for many obvious reasons.

I understand that he has requested you to authorize such an organization, and believing it to be highly injurious to the organizations already organized with entirely white officers, I respectfully request that you will withhold your recommendation.

As General Ullmann has asked for an organization with negro officers after my express disapprobation, I request that he may not be authorized to organize any troops whatever.

I have the honor to be, very respectfully, your obedient servant,

L. THOMAS,
Adjutant-General.

BALTIMORE, *September 11, 1863.*

Hon. M. BLAIR:

MY DEAR JUDGE: Whilst the progress of our Army everywhere just now is calculated to fill us with joy and hope, I cannot enjoy it as I would like, witnessing as I do the excitement and alarm existing here from what may almost be called the kidnaping of our slaves. It sometimes really almost seems that there is a determination somewhere to get up if possible something of a civil war in Maryland, just as we are about to subdue it everywhere else. I went to Washington two weeks ago on this subject and regretted that you were

absent. I had an earnest conversation with the President and Mr. Stanton, but I fear to little purpose; for, though they both declared that the enlistment of slaves had not been determined on and no one had been authorized to enlist them, the practice not only continues, but seems, from what I see and hear, to be every day increasing. They are being sent over from the Eastern Shore by scores, and some of the best and most loyal men are among the sufferers.

I will not trouble you with many details, but refer only to the last committee that waited on me yesterday. They were four gentlemen from Saint Michael's District, in Talbot County, represented to me as of undoubted loyalty. The district itself, as perhaps you know, is notorious throughout the Shore for its early and inflexible loyalty. They said that a few days ago they went on board the steamer when she was about to leave the landing to see if their slaves were not on board. They found a large number of slaves from the county huddled together in the bow of the boat, armed with uplifted clubs, prepared to resist any close inspection. One of these gentlemen—and in his relation he was very calm and dispassionate—approached the officer having them in charge and told him that he had come merely to ascertain whether his slave was among those on board, and respectfully asked to be allowed merely to see whether he was there; told him at same time that if he found him he had no idea of demanding him or interfering with the officer's possession of him or interfering in the slightest manner with his purpose; that he merely wanted to be able to identify his negro, that he might have some proof of his being taken by the Government in case it should think proper to pay for such, and this request was denied. Now, my dear judge, is it not almost a mockery to talk of paying loyal owners anything if the contraband camps are closed against them, and their negroes, after being taken by the recruiting officers, are, at the very threshold of their own homes, suffered to crouch together, conceal themselves from the possibilities of identification, to club off their owners who make any such attempt, and then carried off before their face to—no one knows where?

I understand that the President and Secretary of War still say that such recruiting is unauthorized. Then why, in God's name, permit it? It seems to me to be most obviously due, not only to the citizen but to the Government itself, that some open and positive stand should be taken on the subject, and that nothing should be suffered to be done indirectly; that is, not directly ordered. Let the practice be openly recognized or openly repudiated, and let such recruiting either be expressly ordered or positively forbidden. I write to you with freedom on this subject, and as to a Marylander understanding our condition and capable of appreciating the effect of such proceedings in such a community.

I beseech you to stop them if it be possible. You can hardly estimate the damage we are suffering. These complaints come not from the secessionists or the Democrats—they are comparatively quiet, and, I doubt not, are chuckling in their hearts over the practice—but our most loyal men, men who are willing and anxious to sustain the Government—aye, to sustain the Republican party, sooner than again put themselves in the grasp of the Democracy. But I tell you—and mark my prediction—if these practices are not speedily stopped we are given over, in spite of all we can do, once more to the Democratic rule. As things are now going nothing but bayonets at the breast of the people can prevent it. I have gone further into the

matter than I intended. If you can by any possibility have a stop put to this slave enlistment, let me beg you to do it. I sat down to write you chiefly about a supplemental matter. These gentlemen whom I saw last evening said to me: "We have come to you, Governor, at this time not so much to get pay for our slaves—if the Government stands in need of them let it have them—but we have come earnestly to entreat that a negro regiment which they threaten to bring down from Baltimore and quarter in our neighborhood may not be allowed to come. Our people are in a state of utter consternation at the prospect of such a thing. Whilst we are willing that the Government shall take from us anything it needs, for God's sake let it not suffer us to be pillaged by a regiment of negroes."

I give you, judge, the language, as nearly as I can, of one of this committee—a plain, straightforward, sensible, loyal farmer. I wish you could have heard him. And cannot this poor boon, at least, be granted? Cannot this regiment be kept here where it is; or must it, without the shadow of necessity, be sent across the bay, only further to inflame, terrify, and disgust our citizens? Truly, this would seem to be adding insult to injury. Will you, my dear sir, see the President, and if you can do nothing else, keep, at least, this negro regiment at home.

Yours, very truly,

A. W. BRADFORD.

[Indorsement.]

SEPTEMBER 25, 1863.

Submitted to the Secretary of War.

A. LINCOLN.

EXECUTIVE MANSION,
Washington, September 11, 1863.

Hon. ANDREW JOHNSON:

MY DEAR SIR: All Tennessee is now clear of armed insurrectionists. You need not to be reminded that it is the nick of time for reinaugurating a loyal State government. Not a moment should be lost. You and the co-operating friends there can better judge of the ways and means than can be judged by any here. I only offer a few suggestions. The reinauguration must not be such as to give control of the State and its representation in Congress to the enemies of the Union, driving its friends there into political exile. The whole struggle for Tennessee will have been profitless to both State and Nation if it so ends that Governor Johnson is put down and Governor Harris is put up. It must not be so. You must have it otherwise. Let the reconstruction be the work of such men only as can be trusted for the Union. Exclude all others, and trust that your government so organized will be recognized here as being the one of republican form to be guaranteed to the State, and to be protected against invasion and domestic violence. It is something on the question of time to remember that it cannot be known who is next to occupy the position I now hold, nor what he will do. I see that you have declared in favor of emancipation in Tennessee, for which may God bless you. Get emancipation into your new State government constitution and there will be no such word as fail for your case. The raising of colored troops, I think, will greatly help every way.

Yours, very truly,

A. LINCOLN.

GENERAL ORDERS, No. 308. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, September 12, 1863.*

The Medical Inspector-General has, under direction of the Surgeon-General, the supervision of all that relates to the sanitary condition of the Army, whether in transports, quarters, or camps; the hygiene, police, discipline, and efficiency of field and general hospitals, and the assignment of duties to medical inspectors.

Medical inspectors are charged with the duty of inspecting the sanitary condition of transports, quarters, and camps of field and general hospitals, and will report to the Medical Inspector-General all circumstances relating to the sanitary condition and wants of troops and of hospitals, and to the skill, efficiency, and conduct of the officers and attendants connected with the Medical Department. They are required to see that all regulations for protecting the health of troops and for the careful treatment of and attendance upon the sick and wounded are duly observed.

They will carefully examine into the quantity, quality, and condition of medical and hospital supplies, the correctness of all medical, sanitary, statistical, military, and property records and accounts pertaining to the Medical Department, and the punctuality with which reports and returns required by regulations have been forwarded to the Surgeon-General.

They will ascertain the amount of disease and mortality among the troops, inquire into the causes, and the steps that may have been taken for its prevention or mitigation, indicating, verbally or in writing, to the medical officers such additional measures or precautions as may be requisite. When sanitary reforms requiring the sanction and co-operation of military authority are urgently demanded, they will report at once in writing to the officer commanding corps, department, or division, the circumstances and necessities of the case, and the measures considered advisable for their relief, forwarding a duplicate of such reports to the Medical Inspector-General.

They will instruct and direct the medical officers in charge as to the proper measures to be adopted for the correction of errors and abuses, and, in all cases of conflict of views, authority, or instructions, with those of medical directors, will report the circumstances fully and promptly to the Medical Inspector-General for the Surgeon-General's orders.

Upon or near the beginning of each month medical inspectors will make minute and thorough inspections of hospitals, barracks, camps, transports, &c., within the districts to which they are assigned, in conformity with these instructions and the forms for inspection reports furnished them.

Monthly inspection reports, in addition to remarks under the several heads, will also convey the fullest information in regard to the medical and surgical treatment adopted; the advantages or disadvantages of location, construction, general arrangement and administration of hospitals, camps, barracks; the necessity for improvement, alteration, or repair, with such recommendations as will most certainly conduce to the health and comfort of the troops and the proper care and treatment of the sick and wounded. When alterations, improvements, or repairs requiring the action of heads of bureaus are considered essential, special reports, accompanied by plans and approximate estimates of quantities or cost, will be made.

Medical inspectors will make themselves fully conversant with the regulations of the Subsistence Department in all that relates to issues

to hospitals, whether general, field, division, or regimental, and will satisfy themselves, by rigid examination of accounts and expenditures, that the fund accruing from retained rations is judiciously applied, and not diverted from its proper purposes through the ignorance or inattention of medical officers, giving such information and instruction on this subject as may be required. They will also give close attention to the supervision of cooking by the medical officer, whose duty it is, under the act of Congress of March 3, 1863, and General Orders, No. 247, of 1863, to "submit his suggestions for improving the cooking, in writing, to the commanding officer," and to accompany him in frequent inspections of the kitchens and messes.

They will exercise sound discrimination in reporting "an officer of the Medical Corps as disqualified, by age or otherwise, for promotion to a higher grade, or unfitted for the performance of his professional duties," and be prepared to submit evidence of its correctness to the medical board, by whom the charge will be investigated.

Medical inspectors are also charged with the duty of designating to the surgeon in charge of general hospitals and convalescent camps all soldiers who are in their opinion fit subjects for discharge on surgeons' certificate of disability, or sufficiently recovered to be able for duty. In all such cases they will direct the surgeon to discharge from service, in accordance with existing orders and regulations, or return to duty those so designated.

Official communications to the Medical Inspector-General will be directed to the Surgeon-General U. S. Army, and plainly addressed on the left-hand lower corner of envelope, "For the Medical Inspector-General," the name and title of the writer being written under the words, "Official Business."

It is expected that all commanding officers will afford every facility to medical inspectors in the execution of their important duties, giving such orders as may be necessary to carry into effect their suggestions and recommendations; and it is enjoined upon all medical officers and others connected with the Medical Department of the U. S. Army to yield prompt compliance with the instructions they may receive from medical inspectors on duty in the army, department, or district in which they are serving, on all matters relating to the sanitary condition of the troops, and of the hygiene, police, discipline, and efficiency of hospitals.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., September 12, 1863.

PROVOST-MARSHAL-GENERAL U. S. ARMY,
Washington, D. C.:

SIR: I am directed to instruct you that all rebel deserters who have been drafted into the U. S. service will be sent to Camp Chase, Ohio, to be distributed among regiments serving in the Department of the Northwest.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 12, 1863.

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to report that the State of Indiana is entitled to credit for the following number of troops not previously reported to you, viz:

Furnished prior to May 26, 1863, and not embraced in statement of that date:		
Three-years'	4,942	
Nine-months', 1,350 = three-years'	337	
		5,279
Furnished since May 26, 1863, and not *a* previously reported, districts not known:		
Six-months', 3,504 = three-years'	584	
One-year's, 100 = three-years'	33	
Three-years'	1,440	
		2,060
Furnished since May 26, 1863:		
Three-years'	886	
Six-months', 263 = three-years'	44	
		930
Total reduced to three-years' standard		8,269

From the districts as follows:

	Three-years'.	Six-months'.
First District	15	16
Second District		9
Third District	23	---
Fourth District	82	---
Fifth District	214	---
Sixth District	309	11
Seventh District	63	---
Eighth District	23	---
Ninth District	84	---
Tenth District	44	61
Eleventh District	30	166
	886	263

The foregoing embraces all troops from the State mustered into the U. S. [service] to include the 11th instant.

I am, colonel, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 12, 1863.

His Excellency DAVID TOD,
Governor of Ohio, Columbus, Ohio:

SIR: I have the honor to inform you that corrected orders for the draft have this day been forwarded to the boards of enrollment (as per memorandum), which will take the place of those furnished on the 7th instant.

The changes thus in the respective districts result from the credit allowed them for volunteers furnished since the first quotas were assigned.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

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a Embracing reports of August 29 and September 1, 1863.

First District, 532; second, 456; third, 502; fourth, 435; fifth, 400; sixth, 460; seventh, 442; eighth, 361; ninth, 507; tenth, 448; eleventh, 407; twelfth, 465; thirteenth, 425; fourteenth, 407; fifteenth, 405; sixteenth, 413; seventeenth, 378; eighteenth, 429, and the nineteenth, 437 men of the first class.

NASHVILLE, TENN., *September 12, 1863.*

Hon. E. M. STANTON:

I am directed by Major-General Rosecrans to ask: Can slaves of loyal citizens of Tennessee be enlisted in the army without consent of their masters? Will all enlisted men be free men at the expiration of term of their service? Do non-commissioned officers in colored regiments receive higher pay than privates? If so, how much? Send answer to Saint Cloud Hotel, Nashville.

GEO. L. STEARNS,
Major and Assistant Adjutant-General.

CIRCULAR No. 82. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., September 13, 1863.*

The following opinion of Col. Joseph Holt, Judge-Advocate-General, is published for the information and guidance of all officers of this Bureau:

In the case of a drafted man who, having failed to report, is arrested, and then claims to pay commutation or furnish a substitute.

Opinion.—If he fails to report himself and is arrested as a deserter, he has still the right to go before the Board of Enrollment and prove that "he is not liable to do military duty;" but if, on hearing his claim to exemption, he is held to be liable, he cannot escape personal service. He is, also, under such circumstances, subject to be proceeded against as a deserter.

JAMES B. FRY,
Provost-Marshal-General.

NOTE.—*Amended Circular.*—The one of the same number previously issued to be destroyed.

WAR DEPARTMENT,
Washington City, September 13, 1863.

Mr. PRESIDENT: I have the honor to submit herewith a letter of the Provost-Marshal-General of this date asking instructions in regard to the proceedings of State tribunals in the State of Pennsylvania in the discharge of deserters and the exercise of jurisdiction over persons held in military custody. There appears to be an evident design on the part of some individuals holding judicial stations in different States, including Pennsylvania, to exercise their powers in hostility to the General Government in its efforts to repress the rebellion, and especially with the view of preventing the operation of the draft and encouraging desertion.

The Provost-Marshal-General inquires whether the interference of State courts with persons held in military custody shall be acquiesced in or restricted by force. The gravity of this question imposes upon me the duty of submitting the matter to your consideration for such instructions as you may be pleased to give in the premises.

I have the honor to be, very respectfully, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

[Inclosure.]

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 13, 1863.

Hon. EDWIN M. STANTON,
Secretary of War, Washington, D. C.:

SIR: I would respectfully ask for instructions in the following case:

One Antrim was duly enrolled and drafted in Philadelphia. He claimed exemption on the ground of being the only son of a widow dependent on his labor for support. The claim was rejected by the Board of Enrollment, and under the enrollment act he was held as a soldier in the military service of the United States. A writ of habeas corpus was issued in his case by Judge Cadwalader, of the district court of the United States for the Eastern District of Pennsylvania.

Judge Cadwalader has delivered an extended opinion in this case declaring the enrollment act to be constitutional, but deciding that the clause of the enrollment act which says that the decision of the boards of enrollment as to the liability of drafted men to be held for service shall be final, means that the decision shall be final only as far as revision by military authorities is concerned, and that such cases may be appealed to the civil tribunals whenever the decision of the Board is adverse to the claim made for exemption. He also gives decisions on other minor points, which I think will prove injurious to the military service.

The necessity for having no appeal from the decision of the Board of Enrollment in questions of exemption is of the first importance to the military service and the word final used by the lawmakers in this instance seems to me to have been expressly intended to prevent the mischief arising from such appeal.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

[Sub-inclosure.]

LEGAL INTELLIGENCE.

United States District Court, Judge Cadwalader.

The court was engaged yesterday with habeas corpus cases of drafted men where claims for exemption have been disallowed by the Board of Enrollment in their respective districts. These cases have multiplied greatly lately, and bid fair to occupy much the greater portion of the time of the court. They present the same general features as those already reported, and hardly merit the time spent on them.

CIRCULAR No. 83. WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, D. C., September 14, 1863.

Men whose names were drawn in the draft ordered from the War Department August 9, 1862, and who on the 3d of March, 1863, had substitutes in the service of the United States, are to be held as exempted from liability to service under the present draft.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 14, 1863.

His Excellency RICHARD YATES,
Governor of the State of Illinois, Springfield, Ill.:

SIR: I have the honor to inform you that the State of Illinois stands credited upon the books of the Adjutant-General of the Army with an excess of 44,851 over all calls for troops in 1861 and 1862 and in 1863 up to the 11th day of June.

The quota of the State for the present draft is 36,700. The excess of troops heretofore furnished by it over this quota is 8,151. There will, therefore, be no draft in Illinois under the present call for troops, and the number of 8,151 will stand to its credit in the future demands of the General Government.

I am, sir, very respectfully, your obedient servant,
JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 14, 1863.

His Excellency OLIVER P. MORTON,
Governor State of Indiana, Indianapolis, Ind.:

SIR: I have the honor to inform you that the State of Indiana stands credited upon the books of the Adjutant-General of the Army with an excess of 28,501 over all calls for troops in 1861, 1862, and 1863, up to the 4th day of June.

The quota of the State for the present draft is 26,833. The excess of troops heretofore furnished by it over the quota is 1,668. There will, therefore, be no draft in Indiana under the present call for troops, and the number of 1,668 will stand to its credit in the future demands of the General Government.

I am, sir, very respectfully, your obedient servant,
JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, September 14, 1863.

GOVERNOR OF INDIANA,
Indianapolis, Ind.:

SIR: You are hereby authorized by the Secretary of War to raise eleven regiments of volunteers, infantry and cavalry, to serve for three years or during the war. Not more than four regiments of the authorized force will be cavalry. The recruitment will be conducted under the provisions of General Orders, No. 75, series of 1862, from the War Department. The organization of the respective regiments and companies must conform to the requirements of General Orders, No. 110, current series, from the Adjutant-General's Office. All musters into service will be made and supplies furnished in accordance with the established orders and regulations of the Department. To volunteers enlisted under this authority bounties, &c., will be paid as follows, viz:

I. To a veteran volunteer, as defined in General Orders, No. 191, of June 25, 1863, for recruiting veteran volunteers, one month's pay in advance and a bounty and premium amounting to $402 will be paid as follows:

1. Before leaving the State the veteran volunteer will be paid one

month's pay in advance, $13; first installment of bounty, $25; premium, $2. Total pay before leaving general rendezvous, $40.

2. At the first regular pay-day, or two months after muster-in, an additional installment of bounty will be paid, $50, making pay and bounty then received $76.

3. At the first regular pay-day after six months' service he shall be paid an additional installment of bounty, $50.

4. At the first regular pay-day at the end of the first year's service an additional installment of bounty will be paid, $50.

5. At the first regular pay-day after eighteen months' service an additional installment of bounty will be paid, $50.

6. At the first regular pay-day after two years' service an additional installment of bounty will be paid, $50.

7. At the first regular pay-day after two and one-half years' service an additional installment of bounty will be paid, $50.

8. At the expiration of three years' service the remainder of the bounty will be paid, $75.

II. To all other men accepted and enlisted as herein required, one month's pay in advance, and in addition a bounty and premium amounting to $302 shall be paid, as follows:

1. Before leaving the State the men accepted under this authority will be paid one month's pay in advance, $13; first installment of bounty, $25; premium, $2. Total pay before leaving the State, $40.

2. At the first regular pay-day, or two months after muster-in, an additional installment of bounty will be paid, $40.

3. At the first regular pay-day after six months' service he shall be paid an additional installment of bounty, $40.

4. At the first regular pay-day after the end of the first year's service an additional installment of bounty will be paid, $40.

5. At the first regular pay-day after eighteen months' service an additional installment of bounty will be paid, $40.

6. At the first regular pay-day after two years' service an additional installment of bounty will be paid, $40.

7. At the first regular pay-day after two and one-half years' service an additional installment of bounty will be paid, $40.

8. At the expiration of three years' service the remainder of the bounty will be paid, $35.

If the Government shall not require these troops for the full period of three years, and they shall be mustered honorably out of the service before the expiration of their term of enlistment, they shall receive, upon being mustered out, the whole amount of bounty remaining unpaid, the same as if the full term had been served. The legal heirs of substitutes who die in service shall be entitled to receive the whole bounty remaining unpaid at the time of the soldier's death.

I have the honor, &c.,

JAS. B. FRY,
Provost-Marshal-General.

DEPARTMENT OF STATE,
Washington, September 14, 1863.

Hon. E. M. STANTON, *Secretary of War:*

SIR: I have the honor to communicate for your information a copy of a letter of the 23d ultimo, addressed to this Department by Henry Connelly, esq., the Governor of the Territory of New Mexico.

I have the honor to be, your obedient servant,

WILLIAM H. SEWARD.

[Inclosure.]

EXECUTIVE DEPARTMENT,
Santa Fé, N. Mex., August 23, 1863.

Hon. WILLIAM H. SEWARD,
Secretary of State:

SIR: There is nothing of importance transpiring within the immediate limits of our Territory, except the Navajo war, that would be worthy of your attention. This war is just beginning, and nothing yet has taken place that would indicate the success that may attend our arms.

There are now in the field against that tribe about twelve hundred men, well equipped and supplied, from whom much good is expected. The force is insufficient for the purpose of subjugation, but it is the most that General Carleton can spare from his scanty means for that part of the Territory. The remainder of the troops this side of the Jornada are stationed at Fort Craig, Pinos, and Albuquerque, on the Rio del Norte, and at Stanton, Union, and Garland, on the more eastern and northern frontiers, all of which are constantly in active service, pursuing small predatory bands of Indians that constantly infest the mountains and adjacent plains in search of property to carry off or lives to take.

The depredations daily committed are astonishing, and, although much of the stock is recaptured by the troops and citizens, it is seldom that an Indian is killed or captured. They keep near the mountains, and when closely pursued abandon the stock and take refuge on foot in the heights and recesses of that safe retreat.

The most interesting matter that now occupies the attention of our people, and would create a fear of an almost entire depopulation of the laboring part of the community, is the discovery of very rich and extensive gold fields (placers) in the Territory of Arizona, about 400 miles west and south from Albuquerque. The information derived from there by letters of credible persons was of such a nature as to induce General Clark, our surveyor-general, to visit that region and ascertain such facts in relation to the extent of the gold placers and the amount of yield as would enable our people to act knowingly before taking such steps as might lead to disappointment and suffering. He, General Clark, is expected to return during next month. There exists very little doubt as to the nature of his report, judging from letters of intelligent persons previously written from that remote and heretofore unexplored region. Should it be as supposed, there will be an immense emigration to these mines, not only from this Territory, but from our neighbor, Colorado, and from the States. This gold exists in a country entirely unpopulated, and has been for ages the haunt of the different bands of Apache Indians. They will doubtless make resistance to its occupancy by the miners, as they are now doing, and many lives will be lost unless a strong military force should be stationed around the mining district and regularly scour the country of all hostile Indians. At this time General Carleton has not a force sufficient for any such purpose, and, indeed, not for the purpose of chastising the Navajoes, with whom we are now at war. A regiment of mounted men in addition to the force already here is of the utmost importance. General Carleton has asked for such regiment, but I fear that it will not be granted.

The Republic of Mexico is now invaded by the troops of France, the capital taken, and, it would seem, an empire proclaimed, to be governed by a foreign prince. To this attempt on the part of France

to destroy the republican institutions of Mexico I believe there will be a resistance as universal and as persevering throughout the Mexican Republic as there was in Spain to the invasion and transfer of that monarchy by the first Napoleon to one of his own household. Such, I have from high authority, is the feeling throughout every class of people in Mexico, except the clergy, and even they are greatly divided on the subject. At this time we have agents from the city of Chihuahua among us authorized to purchase arms and ammunition for the use of that State, in order to enable her to send the quota of troops armed and equipped, which has been called for, to the theater of war. Of arms there are none for sale in the Territory. A few kegs of powder may be bought in open market, but nothing that would approximate to the necessities of that State in the present emergency. The whole country seems to be destitute of the necessaries of war, and arms and powder are particularly scarce and not to be obtained. The great number of arms that were either surrendered or destroyed at the taking of Puebla would seem to have paralyzed the means and energies of the Mexican army, and if they are not assisted with these means of defense from some quarter, I fear they will fall an easy prey to the French Emperor. The States of Chihuahua and Sonora have been, and are now, anxious to be incorporated into the Government of the United States. Without suggesting the propriety or policy of any such measures at this time, I would say that there is no part of Mexico that would be of more importance to our country at the present and all future time than these two States. I have lived in Chihuahua twenty years, and know all that Sonora presents of interest. Her long line of coast upon the Gulf of California and the valuable ports of entry contained within that space would be of great value to our Government, and of incalculable injury if in the possession of a foreign and powerful maritime nation. A treaty for and purchase of these States at this time might save much difficulty and embarrassment hereafter.

I have the honor to remain, very respectfully, your obedient servant,

HENRY CONNELLY,
Governor of New Mexico.

COLUMBUS, OHIO, *September 14, 1863.*

Hon. E. M. STANTON:

It is unfortunate that the time fixed for the draft is just as our elections are taking place. Political excitement runs high in Ohio, and this will necessarily to some extent interfere with that quiet and order so essentially necessary for the marshals in the execution of their duty. I do not anticipate any collision, however; but if the draft could be postponed without prejudice to the public interest I advise that it be done.

DAVID TOD,
Governor.

COLUMBUS, OHIO, *September 14, 1863.*

Hon. E. M. STANTON:

Men are offering hourly to enlist under the order for veteran volunteers. Please send me the instructions promised in Order 191.

DAVID TOD,
Governor.

WAR DEPARTMENT,
Washington City, September 14, 1863.

Governor TOD,
Columbus, Ohio:

The instructions for veteran volunteers will be forwarded by mail to-morrow. The draft was ordered without my knowledge by Colonel Fry. The evil is so obvious that I should have guarded against it had I known before the order issued, and I shall try to correct it.

EDWIN M. STANTON.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, September 15, 1863.

GOVERNOR OF OHIO,
Columbus, Ohio:

You are authorized to raise as many regiments of volunteers, infantry and cavalry, as you think you can complete in organization in a reasonable time. The proportion of cavalry should not be large. All veterans going into these regiments will get a bounty, &c., of $402, as in General Orders, No. 191, for veteran volunteers. All other recruits will get a bounty, &c., of $302, distributed in a manner similar to that for veteran volunteers. Letter by mail. The day for draft in Ohio is not yet fixed, and all the men you raise in time will be credited. Your entire quota is only some 8,000 or 9,000.

JAS. B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, September 15, 1863.

Governor SALOMON,
Madison, Wis.:

The rule for constructing quotas is the same for all the States. I have heretofore endeavored to explain it to you as fully as I could. I assure you that no injustice shall be done to any State, nor partiality shown, which it is possible on my part to provide against or correct.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 16, 1863.

Hon. HENRY WILSON,
Natick, Mass.:

SIR: Your letter of September 14 is just received.* You ask, "Is it intended to draft more men?" and express a hope that such intention is not entertained. I am not prepared to say whether there will be another draft or not, but my opinion is that the abuses arising under this new and experimental measure are not great enough to

*Not found, but letters-received book of the Provost-Marshal-General's Office contains the following brief: "Hopes no more drafts will be ordered unless it is a necessity, and then that new surgeons will be appointed; says 'the whole thing is a mere farce, a shame, and a disgrace.' In Maine it seems more forcibly so than in Massachusetts. The general feeling is that men are not wanted, but are let off by instructions. Three-fourths of our armies would be disbanded under their system and rules."

justify, as you hope, the abandonment of it; that don't seem to me to be the best way to meet the case. I have no doubt there is bribery and corruption among the surgeons, but again I regret to differ with you as to this. I don't think we should make a change in *all* surgeons, if not in most of "the officers." Many of the surgeons are gentlemen of honesty, industry, and professional ability, and to disgrace them because there are rogues in similar offices would be an act of injustice which it would be difficult to justify. The abuses complained of in the first part of your letter, as noted above, result, according to your view, from guilty practices on the part of the surgeons, and to their dishonesty or inefficiency you attribute the farcical result, as you term it, of the draft; but in the after part of the letter you attribute the same result to the fact that my regulations are too strict as to the physical qualifications for soldiers. If the first proposition is correct, that the surgeons are open to bribery, I don't see that the physical conditions the men are to fulfill are of much consequence in the matter. In relation to these rules for physical fitness, I several weeks ago received and answered a letter from you. The views therein expressed have since been confirmed. This question has two sides. On the one stands the whole medical faculty and military experience of Europe and America, and on the other (without intending the slightest disrespect by this mode of stating the case) stand yourself and perhaps a few other individuals of undoubted learning, but not professors of medical or military science.

Since your first letter, previously alluded to herein, the rules which you criticise have been submitted to eminent civil surgeons in different parts of the United States to know whether the list of disqualifying causes could be reduced. The result of this reference leads decidedly to the belief that the list is now too small. What propriety, therefore, would there be in my making rules to force into the service, under a law requiring "able-bodied men," [men] whom the medical and military profession assert are not "able-bodied?" The thing looks to me too plain for discussion; but I know your interest in the Government, and in this particular law, and therefore I wish to go frankly over the ground with you, as your action on this subject is likely to produce lasting results. I don't think you are correct in your assertion that not one-fourth of the Army of the Potomac would pass the physical examination required; but if you are, that does not prove that we should take other men who are no better.

You say that "little sickly fellows who can bear nothing are taken," and "great big fellows who can do work of the hardest kind are let off." If this be so, it indicates an abuse which we should try to correct, though it cannot be properly inferred because a fellow is big and can do hard work that he is necessarily fit for military duty. I beg that you will give me the particulars in regard to this abuse, that I may endeavor to correct it. I also earnestly request that you will give me particulars connected with the case in Maine which you cite, where a drafted man paid a lawyer $150 to get off, and where the lawyer admits taking the money. Please give names, &c.

The officers appointed under this act were, with very few exceptions, appointed on the recommendations of politicians friendly to the Government and interested in the success of this measure; and if your statement be correct, that they are enacting a "disgraceful farce" and "sinking the Government down beneath contempt," there is certainly cause for serious reflection. Again, on this point, I beg that you will give me such information as will enable me to take some steps toward

avoiding this disgrace to the Government. I do not think, however, that crime is as universal in this matter as would be inferred from your letter, and, as a general thing, I am satisfied that the law as it exists has been administered fairly toward the Government and individuals.

Up to this time 127,000 men have been examined and 53,000 exempted as not able-bodied. The proportion thus rejected is not near so large as that rejected for like cause in the ordinary recruiting service of the Army.

I have no disposition in this matter to criminate or recriminate, but I must say, with a view to future legislation, that so far as I can see there was quite as much to find fault with in the construction of the law as in its administration. It is essentially a law not to secure military service, but to exempt men from it.

I do not say this, however, as condemning the law; on the contrary, I think, considering the circumstances, the experiment tried by this act was perhaps as rigid as was best at the time. In the attempt by Congress to make the law humane and palatable there are so many conditions presented that it is very difficult to find a man who fulfills them all. The drafted man must be "able-bodied;" he must be between twenty and thirty-five (or forty-five if unmarried); he must be mentally fit; he must not be Vice-President or U. S. judge, or the head of a Department or Governor of a State; he must not be the only son of a widow, &c., nor the only son of aged or infirm parents, nor one of two sons of aged or infirm parents, &c., nor the only brother of little children, &c., nor the father of motherless children, &c., nor one in a family where there are already two in service, nor an alien; nor (by construction of law) must he have been in service himself on 3d of March; nor must he have been either a principal or substitute under the draft of last year, even though the term of service had expired before the present draft; nor must he be a man improperly enrolled. All of this makes the man to be accepted a very peculiar individual and one not so readily found. In conclusion, I would remark that the law itself is not perfect, and there is, doubtless, to some extent, inefficiency and abuse in its execution; but I think the measure is a good one, and that it will eventually, after the improvements resulting from experience, prove useful to the country, and I should be sorry to see it abandoned without a more extended trial than it has yet had.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

ADJUTANT-GENERAL'S OFFICE,
Augusta, September 16, 1863.

Statement regarding the number of men furnished by Maine to the General Government since the commencement of the rebellion, exclusive of three-months' troops, to May 26, 1863. (*See also exhibit.*)

Number claimed by War Department as quota of Maine, calls of 1861, by exhibit transmitted September 5, 1863, from the Adjutant-General's Office, Washington, to the Governor of Maine	17,560
Quota under call July 2, 1863	9,609
Total three-years' men claimed	27,169

Number of three-years' troops credited at the War Department to the quotas of Maine to May 26, 1863	21,026
Number actually furnished to that date	24,900
Which reduces deficiency alleged (6,143) to	2,269

Which is the deficiency, admitting the quotas of three-years' men to have amounted to 27,169, as alleged at the War Department.

Maine, however, actually furnished in 1861 1,869 men in excess of all calls (amounting to 14,800) made that year—which, credited to the deficiency on the call of July 2, 1862, leaves the actual deficiency on all calls for three-years' volunteers to be only 400.

The number of nine-months' troops shown in the exhibit from the War Department (7,585) does not differ materially from the number actually furnished, though no company of sharpshooters was furnished by Maine for nine-months' service, as there stated.

No deficiency in the quotas of Maine Volunteers, apparent or otherwise, should be charged and exacted from Maine, for these reasons, viz:

First. From the migratory character of the people of Maine many of her residents have enlisted in the volunteer organizations of other States and were accounted to the quotas of these States. Maine has a much larger proportion of this class of soldiers than any other State. Over 2,400 residents of Maine are known to have enlisted with volunteer organizations of other States, and doubtless the number is larger by one-third than has been reported. Early in June, 1861, two regiments of infantry more than were asked for by the General Government were raised and tendered for service for any period not exceeding three years, but the War Department refused to accept them, and consequently they were disbanded by the Governor. A large number of the members of these organizations immediately repaired to contiguous States and enlisted in regiments of those States which went into service.

Second. Maine has furnished from her extended sea-board to the U. S. Navy more than three times the number of seamen than has any other State. In many of our towns the entire able-bodied male population is engaged in sea-faring pursuits, and a large proportion of this population are sailors in our naval service. It is estimated that at least 6,000 citizens of Maine are in the U. S. Navy.

Third. In 1861, on the quota of which year the Department represents a large deficiency, five more regiments were raised by the Governor of Maine than were required by any and all requisitions from the General Government. Two of these regiments were disbanded, as stated above; the others were mustered into U. S. service; but it was even decided by the Secretary of War to disband one of the regiments mustered in (the First Maine Cavalry), and it was only by the earnest request and petition of Governor Washburn, through the State agent, Hon. James G. Blaine, that the War Department was dissuaded from this purpose and this gallant regiment saved to the service and credited to the quota of Maine.

This last, however, is not presented to influence in the reduction of an apparent deficiency in Maine's quota, except in connection with the other reasons before stated. For Maine, since the commencement of the rebellion, has given to the United States, in the Army and Navy, more men, proportionately, than has any other State, though the number furnished for Maine volunteer organizations may not appear to be quite as large as the quota demanded; and Maine is still ready

to respond to any calls for troops which may, in justice, be made upon her.

JOHN L. HODSDON,
Adjutant-General of Maine.

Exhibit of troops furnished by Maine to May 26, 1863.

THREE-YEARS' TROOPS.

Arm of service.	Number originally mustered in.	Recruits in 1861.	Recruits in 1862 and to May 26, 1863.	Total number furnished.
2d Regiment Infantry	772	187	117	1,076
3d Regiment Infantry	975	64	119	1,158
4th Regiment Infantry	995	170	64	1,229
5th Regiment Infantry	957	148	133	1,238
6th Regiment Infantry	953	60	222	1,235
7th Regiment Infantry	809	189	a 241	a 1,239
8th Regiment Infantry	805	.....	361	1,166
9th Regiment Infantry	979	.....	200	1,179
10th Regiment Infantry	860	110	215	1,185
11th Regiment Infantry	914	.....	385	1,299
12th Regiment Infantry	865	20	2	887
13th Regiment Infantry	1,030	2	10	1,042
14th Regiment Infantry	1,024	.....	2	1,026
15th Regiment Infantry	1,078	.....	28	1,106
16th Regiment Infantry	990	.....	12	1,002
17th Regiment Infantry	1,024	.....	7	1,031
18th Regiment Infantry	1,015	.....	155	1,170
19th Regiment Infantry	990	.....	.....	990
20th Regiment Infantry	965	.....	3	968
1st Regiment Cavalry	1,066	127	329	1,522
1 company sharpshooters	100	.....	12	112
6 batteries mounted artillery	925	.....	144	1,069
Coast Guards Artillery	124	.....	8	132
Recruits assigned to different regiments of Maine Volunteers for which no muster-in rolls have been returned.	.....	361	478	839
Total	.....	.....	.....	24,900

a Sixty more recruits should be credited, of whom the records of the volunteer recruiting service, from which the number of recruits is taken present no record.

NINE-MONTHS' TROOPS.

Arm of service.	Number originally mustered in.	Recruits in 1862 and to May 26, 1863.	Total number furnished.
21st Regiment Infantry	884	8	892
22d Regiment Infantry	902	3	905
23d Regiment Infantry	963	.....	963
24th Regiment Infantry	878	12	890
25th Regiment Infantry	999	.....	999
26th Regiment Infantry	903	6	909
27th Regiment Infantry	942	1	943
28th Regiment Infantry	938	20	958

RECAPITULATION.

	Total.
THREE-YEARS' TROOPS.	
Furnished under calls of 1861.	
14 regiments of infantry	13,016
1 regiment of cavalry	1,083
1 company of sharpshooters	100
6 batteries mounted artillery	225
3 companies (lieutenants' commands) Coast Guard Artillery	124
Recruits in 1861 on muster-in rolls, Coast Guard Artillery	1,077
Recruits in 1861 of which muster-in rolls were not furnished, and of which descriptive rolls are filed in the adjutant-general's department of Maine.	361
	a16,069
Furnished under call of July 2, 1862.	
5 regiments of infantry	4,994
Recruits in 1862 and to May 26, 1863	2,709
Recruits enlisted in 1st Battery, 12th, 13th, 14th, and 15th Regiments of Infantry at New Orleans, as shown by the regimental returns, but for which no muster-in rolls have been furnished.	478
Total three-years' men	24,900
NINE-MONTHS' TROOPS.	
Furnished under call by General Orders, No. 94, War Department, 1863: 8 regiments infantry.	7,469

a Being in excess of 1,869 furnished over every requisition upon Maine in 1861.

The foregoing statement and exhibit is made from the muster-in rolls and records of the adjutant-general's department of Maine, and shows the number of volunteers, exclusive of nine-months' troops, furnished from Maine up to May 26, 1863, date of the exhibit transmitted September 5, 1863, from Adjutant-General's Office, Washington, D. C., to the Governor of Maine.

JOHN L. HODSDON,
Adjutant-General of Maine.

CONCORD, *September 16, 1863.*

His Excellency the Governor and the
Honorable Council of the State of New Hampshire:

In compliance with your request that I would examine and collate the correspondence and documents submitted to me having reference to the conscription in this State, and present the result of my labors, accompanied with such comments and suggestions as might be deemed pertinent and proper, I have the honor to submit the following:

The subject of the correspondence which follows is a matter which naturally and properly has excited and continues to excite the feelings of the people of New Hampshire in a much greater degree than any other matter or thing which has ever occurred in this State.

When the war broke out no people responded to the call of an imperiled Government more promptly than the people of this State; none made greater sacrifices of their property, their comforts, their affections, and their blood than the people of New Hampshire; none have endured hardships more courageously, or fought more bravely, or died more unflinchingly. And as they have borne and suffered these things, so they would still do all and more than all their duty toward the country, looking in return for a grateful recognition of their services and a measure of justice and fair dealing at the hands of the National Administration.

But as in every large community there always exist different sentiments and opinions, excited and controlled by various and opposing influences, so here, the people inhabiting all parts of the State have not been equally and in the same degree enthusiastic and ardent in their support of the war; but while from many towns a much larger number than the required proportion have, upon the call of the President, volunteered for the service of the country, the convictions of duty which excited their patriotic devotion and sacrifices failed to produce the same results upon the minds of the people in other sections of the State.

When finally the fearful exigencies of public affairs called for the harsh administration of the conscription act, it was manifestly right and proper, it was simple and exact justice, neither more nor less, that the principle of the draft should, if possible, be so established that the burden thereof should be imposed with an even hand, in order that it might be felt and sustained by all alike, and not by some communities slightly and by others very severely. Nor does it seem to have been impossible, nor yet difficult, to have so equalized the draft here, whatever obstacles may have existed to such practical results in some other States. A comparison of the returns made by the several towns with the muster-rolls on file at the State House would readily verify or contradict the claims of the respective towns, and it could easily and without inconvenient delay be ascertained precisely how many men each town had already furnished.

It would seem to be practicable so to apportion the whole required quota of the State among these towns as to make the number furnished and to be furnished exactly equal in proportion to the whole number required. Or if the draft might not be at all delayed for this purpose, what could be easier than to reach the same practical result, by striking off the excess from the drafted list wherever justice required it to be done, or to grant a furlough for the period covered by the draft to as many men as constitute the excess from the several towns?

The evident requirements of equity in this matter, the facility of the practical accomplishment of the right, and the gross inequality and injustice of any different plan of operations were so apparent as to call for an expression from the Legislature, which, regarded merely as a suggestion to the General Government, it was confidently believed would secure the accomplishment of the desired result.

The act of the Legislature was as follows:

(No. 1.)

STATE OF NEW HAMPSHIRE.

In the year of our Lord one thousand eight hundred and sixty-three:

Whereas, many of the towns and cities in this State during the present war have furnished more than their full quota of men already called into the service of the United States, while others have furnished less; and whereas, it is understood that the General Government is about ordering a draft from the enrolled militia in the State without regard to the numbers already furnished by the towns and cities: Therefore

Resolved by the Senate and House of Representatives in General Court convened, That such a draft would be unjust to such towns and cities as have already furnished their full quota of men, and that His Excellency the Governor be requested to bring the matter to the attention of the War Department forthwith, and make such arrangements, if possible, as will secure an apportionment

of the men to be drafted as aforesaid, among the towns and cities, so that after such draft shall be completed, the number of men heretofore furnished by, together with the number of men that may be drafted from, the several towns and cities shall be in the proportion which the number of enrolled militia in the several towns and cities shall bear to the whole enrolled militia of the State.

WILLIAM E. CHANDLER,
Speaker of the House of Representatives.
ONSLOW STEARNS,
President of the Senate.

Approved July 10, 1863.

J. A. GILMORE,
Governor.

With that degree of promptitude which the importance of the subject demanded, Governor Gilmore, on the very day of their passage, sent a copy of these resolutions to the Secretary of War, accompanied by the following letter, in which "the most palpable injustice" of any other policy than that indicated by the legislative resolutions is commented upon with a power of argument and illustration that would seem equivalent to demonstration.

(No. 2.)

EXECUTIVE DEPARTMENT,
Concord, N. H., July 10, 1863.

Hon. EDWIN M. STANTON,
Secretary of War of United States:

DEAR SIR: Inclosed herewith I send you a copy of resolutions adopted by our Legislature in relation to the draft soon about to take place under the recent act of Congress. Permit me to urge upon you the importance of making the arrangement contemplated by those resolutions. Each of our towns is an independent municipality. Some of them have already furnished more than their quota of volunteers under the calls of the President, and have taxed themselves heavily to do so, in the shape of bounties, while others have not furnished a single volunteer or paid a dollar to encourage enlistments.

Now, it would be the grossest and most palpable injustice to draft from towns that have already furnished more than their share of volunteers the same number of men in proportion to their enrollment as in those towns that have furnished none. For instance, suppose two towns in the State where the enrollment is just 200 in each; from one of these towns fifty men are already in the field as volunteers, while from the other not a single man has volunteered. The result is that in the latter town its whole 200 enrolled men are at home while in the former there are but 150. If now a draft is made from those towns in proportion to the enrolled men remaining at home, say of one-tenth, the town that has already furnished fifty soldiers for the war will be called upon for fifteen, while twenty will be demanded of the other, so that after the draft is completed one town will have furnished sixty-five men at an expense of $15,000 or $20,000 in bounties, while the other will have furnished but twenty men without a dollar's expense for bounties. Yet by right one should have been equally burdened with the other.

You will at once perceive, my dear sir, the great difficulty of enforcing a draft, so manifestly unjust as it would be, carried out as suggested. Our people would almost revolt at such an outrage upon the plainest principles of justice and equality.

What would be right and what should be done, as it seems to me, is that instructions be issued to our provost-marshals to take into consideration in making the draft the number of men already furnished by each town in the present war, and to make the draft in such a way as to equalize the number of men taken from each town for the war, whether as volunteers or by draft.

This is a matter which comes home to the feelings and sentiments of our people very strongly, and I beg of you, my dear sir, that you will not hesitate at once to issue the orders necessary to secure to our citizens and towns that equal and exact justice to which, under every consideration of public policy and natural equity, they are so clearly entitled.

I remain, in great haste, with the highest respect, your obedient servant,

J. A. GILMORE,
Governor of New Hampshire.

At the same time he sent the following:

(No. 3.)

CONCORD, N. H., *July 10, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War, Washington, D. C.:

I have this day sent you by mail a copy of an act passed by our Legislature to which I wish to call your immediate attention and reply.

J. A. GILMORE,
Governor.

And on the next day four of our members of Congress joined with His Excellency in again endeavoring to impress upon the Government the importance of the subject by means of the following communication:

(No. 4.)

CONCORD, N. H., *July 11, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War, Washington:

It is of the highest importance that the draft in New Hampshire should be made by townships and not by districts, and that the several towns should have credit for soldiers sent by them so that the burden may be equalized—some towns having furnished their full proportion and others very few.

If the Department will allow our State authorities to assign quotas to the towns in making up the number from the districts the matter can be made satisfactory. We refer to papers forwarded the Department by Governor Gilmore and Major Mack.

J. A. GILMORE.
JOHN P. HALE.
DANIEL CLARK.
E. H. ROLLINS.
J. W. PATTERSON.

The Secretary of War immediately acknowledged the receipt of the two preceding telegrams, as follows:

(No. 5.)

WASHINGTON, *July 11, 1863.*

His Excellency Governor GILMORE:

Your telegrams of yesterday and to-day have been received, and the subject will receive prompt attention on the receipt of the papers and act of Assembly referred to, which have not yet reached here.

EDWIN M. STANTON,
Secretary of War.

Now, although the papers and the act of Assembly had not reached the War Department at this date, yet the Secretary had undoubtedly read and considered the telegram from the Governor and members of Congress (No. 4), in which the whole subject is treated, although very briefly, yet so clearly that the general object and purport of the act and of the "papers" could not have been misunderstood; and it is observable that the Secretary makes no intimation of any difficulty concerning the adjustment of the matter in the manner desired.

But after the lapse of three days, having heard nothing further from the War Department, the Governor, in order that no effort might

be spared to accomplish the desired result, dispatched a special messenger to Washington with the following letter to the Secretary of War:

(No. 6.)

CONCORD, *July 14, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

Hon. N. G. Ordway visits Washington at my request in relation to the subject of the equalization of the draft in this State.

This matter is of the utmost importance to us, and I trust may receive your immediate attention and favorable decision.

If the delinquent towns can be first called upon the draft will proceed well; otherwise, the most patriotic towns will be punished for their early patriotism, and the other towns will have a premium paid them for their delinquencies.

If the Government prefer, the provost-marshal may be instructed, so far as possible, to apportion the quota, having regard to the numbers already furnished, and the data is in their hands from which to ascertain the proper apportionment. This course will satisfy us and will take nothing from the hands of the U. S. authorities.

I have the honor to be, your obedient servant,

J. A. GILMORE.

And two days later the Governor again called the attention of the Government to the matter, truthfully remarking that compliance with the equitable plan suggested would not "delay the draft a day."

(No. 7.)

CONCORD, *July 16, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War, Washington, D. C.:

No answer received to my late letters relative to draft. Cannot our provost-marshals be telegraphed to in apportioning the draft for this State to regard the quotas furnished by the towns so far as practicable without delaying the draft? The evidence has been placed in their hands by our adjutant-general, and the apportionment can be made without delaying the draft a day. This question is of immense importance to the peaceful execution of the draft in our State. Answer immediately.

J. A. GILMORE,
Governor.

At last on the 17th the following telegram was received from the Secretary of War:

(No. 8.)

WASHINGTON, D. C., *July 17, 1863.*

Governor GILMORE:

The act of Assembly of your State only reached here to-day. The question presented in your telegram and letter has been carefully considered.

It is absolutely impossible to make the apportionment by towns. The mere question of some days' delay is of no essential importance if the object could be accomplished. But it cannot. The apportionment of credit is made by Congressional districts, according to the act of Congress.

EDWIN M. STANTON,
Secretary of War.

The Secretary here states that the apportionment cannot be made by towns; delay is of no essential importance, but the apportionment cannot be so made. Why it cannot be so made is not so clearly shown.

An act of Congress, it seems, specially provides for an "apportionment of credit" by Congressional districts.

Could not the same apportionment be made by towns, as sub-districts?

Indeed, the apportionment by Congressional districts could only be made by ascertaining the aggregate credit of the towns composing the several districts. But the important thing to be noted in the consideration of this dispatch is that the "apportionment of credit" is recognized as a principle sanctioned by act of Congress.

But Governor Gilmore thereupon sends the following dispatch:

(No. 9.)

CONCORD, *July 18, 1863.*

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.:

SIR: I am in receipt of your dispatch of yesterday. If the draft is to be made as you have decided, you must send a regiment to enforce it. Will you not send the New Hampshire Fifth?

Please answer by telegraph.

J. A. GILMORE,
Governor of New Hampshire.

But even before this communication reached the Secretary of War he seems to have reconsidered the apparently hasty conclusion expressed in his telegram of the 17th (No. 8), as appears by the following of the same date:

(No. 10.)

WASHINGTON, *July 17, 1863.*
(Received 18th.)

His Excellency Governor GILMORE:

For mature consideration of the question presented by your communication and the resolution of the Legislature of the State have submitted them to the Solicitor of the War Department and Judge-Advocate-General. In the meantime proceedings will be stayed until their conclusion is arrived at, of which you will be notified. Any further views you may offer will be carefully considered.

EDWIN M. STANTON,
Secretary of War.

And the Provost-Marshal-General at the same time sends the following:

(No. 11.)

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 17, 1863.

Governor J. A. GILMORE,
Concord, N. H.:

The questions presented by the Legislature and Governor of New Hampshire have been submitted to Solicitor of War Department. The draft must not proceed in New Hampshire till his answer is received.

JAMES B. FRY,
Provost-Marshal-General.

It would seem, then, that the conclusion expressed in the telegram of the Secretary of War of the date of July 17 (No. 8) was reached without "mature consideration."

But the last two preceding dispatches furnish evidence of a sincere and honest purpose to consider the matter carefully. The attention not only of the Secretary of War and of the Provost-Marshal-General, but also that of their special Solicitor, Mr. Whiting, is engaged; and the result was just what was anticipated—a plain, explicit, unequivocal declaration that the rights of the State and the people and the

reasonable requirement of the Government should be regarded, and the apportionment of credit and the deduction of excess made substantially in the manner proposed by the Legislature and the Governor. A perfectly feasible plan is promulgated by the Provost-Marshal-General, and no difficulties in the way of its practical accomplishment are suggested.

(No. 12.)

WAR DEPARTMENT, PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., July 19, 1863.

His Excellency J. A. GILMORE,
Governor State of New Hampshire, Concord, N. H.:

SIR: The enrollment act only provides that in assigning to the districts of a State the number of men to be furnished therefrom the President shall take into consideration the number of volunteers and militia furnished by and from said State, and the period of their service, &c. If, however, it shall be made to appear to the Provost-Marshal-General by the Governor of any State that particular towns to which quotas have been assigned have heretofore actually furnished a surplus of men over their quotas, an order will be issued discharging from the service of the United States a number of men called into service by the present draft from said towns equal to the surplus proved to have been furnished heretofore. Towns will thus get credit actually for their excess on former calls. The number of men thus discharged from the service will be added to the next subsequent quota of the Congressional district to which said towns belong.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

Before the receipt of the above Governor Gilmore had telegraphed to Mr. Ordway as follows:

(No. 13.)

CONCORD, *July 20, 1863.*

N. G. ORDWAY, Esq.,
Washington:

I telegraphed you on Saturday that our towns must be equalized. Don't fail of having it done if such a thing is possible. Let me hear from you and know the result.

J. A. GILMORE,
Governor.

And subsequently the following letter and dispatch were received from Mr. Ordway:

(No. 14.)

WASHINGTON, *July 20, 1863.*

Hon. JOSEPH A. GILMORE,
Governor of New Hampshire:

DEAR SIR: On the morning after my arrival, in company with General Marston and Hon. Fred. Smyth, I visited the office of the Provost-Marshal-General. We were informed that your letter and the resolutions passed by the Legislature had been laid before Mr. Whiting, Solicitor of the War Department, and that his opinion, adverse to your request, had just been received. I then proposed that when the draft was ordered delinquent towns should be made to fill their quotas, in order to make them equal with towns that had paid thousands of dollars to accomplish that object, and also that towns which had furnished a surplus should have discharged, when the draft was made, the number they could show in excess. This would equalize the draft throughout the State, and I urged the Provost-Marshal-General to delay the order for the draft until this plan could be laid before the Secretary of War, which he finally concluded to do.

* * * * * * *

This morning I went again, by appointment, to the Provost-Marshal-General's Office, and was assured by him that the last proposition had been acceded to, viz,

that all towns should be allowed for excess of men furnished. Colonel Fry furnished me a statement in writing of the change and it was forwarded to you by mail.

N. G. ORDWAY.

(No. 15.)

WASHINGTON, *July 20, 1863.*

Governor GILMORE:

We have succeeded in getting the towns allowed for excess of men furnished.

N. G. ORDWAY.

So the matter rested for more than a month, no intimation whatever emanating from the Department that the assurances contained in Mr. Fry's letter of July 19 (No. 12), founded upon the "mature consideration" and concurring decisions of the Secretary of War, the Provost-Marshal-General, and the Solicitor of the War Department, would not be held inviolate.

And all the doubts and queries suggested in the meantime by others, founded upon rumors, that a similar policy had been repudiated elsewhere by the Government, were triumphantly answered by reference to the recorded promise contained in Mr. Fry's letter of July 19.

In the meantime the draft proceeded, with the emphatic assurance from the Governor and all others concerned in the enforcement of the draft that the excess of names thus drawn should be erased; and in response to the numerous and repeated inquiries of town authorities and others concerning the manner in which the "apportionment of credit" was to be made and allowed, the following general notice was issued by the adjutant-general and published in all the newspapers of the State, thus giving official confirmation of the assurance made by the Governor upon the faith of the Provost-Marshal's letter of July 19:

STATE OF NEW HAMPSHIRE, ADJUTANT-GENERAL'S OFFICE,
Concord, August 19, 1863.

For the information of all interested it is hereby announced that the draft is made according to the quotas assigned to the several towns, or sub-districts, by the Provost-Marshal-General.

The district provost-marshals have nothing to do with the claims of the different towns for men heretofore furnished. But, when the Governor shall make it appear to the Provost-Marshal-General that particular towns have heretofore furnished a surplus of men over their quotas, "An order will be issued discharging from the service of the United States a number of men called into service by the present draft from said towns equal to the surplus proved to have been furnished heretofore. Towns will thus get credit actually for their excess on former calls."

It is therefore necessary for such towns as claim to have furnished a surplus of men to present to the Governor satisfactory proof of such surplus having been actually furnished, and if this proof is presented in season the men may be discharged before leaving the State.

ANTHONY COLBY,
Adjutant-General.

While matters were thus progressing the Governor, referring to the promised credit for men already furnished as volunteers, made inquiry of the War Department whether, in apportioning such credit, a man sent for three years, under a call for men to be furnished for nine months, would be reckoned as four men.

(No. 16.)

AUGUST 18, 1863.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.:

SIR: In cases where towns have sent three-years' men into the U. S. service under a call for nine-months' men are they to have credit for them, reckoning

one three-years' man sent under a call for nine months equal to four nine-months' men?

In my message, pages 13, 14, and 15, which I sent you by mail, I referred to this matter as I understood the War Department had decided. Answer as early as possible.

J. A. GILMORE,
Governor of New Hampshire.

And failing, after the lapse of eight days, to receive any reply, the Governor on the 26th of August repeated his inquiry as follows:

(No. 17.)

CONCORD, *August 26, 1863.*

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.:

Will you have the kindness to answer my dispatch of the 18th instant in regard to the manner of reckoning nine-months' men?

J. A. GILMORE,
Governor.

To which the following answer was returned:

(No. 18.)

WASHINGTON, *August 26, 1863.*

Governor GILMORE:

Your dispatch of the 18th instant immediately upon reaching here was referred to the Provost-Marshal-General with directions to answer it, and I supposed it was done. The direction has been repeated, and the answer will be forwarded without delay.

EDWIN M. STANTON.

And on the same day the favorable result of this inquiry was furnished by the following communication:

(No. 19.)

WAR DEPARTMENT, PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., August 26, 1863.

J. A. GILMORE,
Governor of New Hampshire, Concord, N. H.:

Your dispatch of 18th instant was accidentally overlooked in my office. In making up the number of men furnished from the States the rule of the Adjutant-General of the Army was to bring all to the standard of three-years' men by considering that it required four nine-months' men to make the unit of one three-years' man.

JAMES B. FRY,
Provost-Marshal-General.

This incidental matter being regulated, and still no intimation of a change of views or purposes being given by the Department, the Governor proceeded to furnish the proof of the excess of men furnished by several towns, as will be seen by the following:

(No. 20.)

AUGUST 29, 1863.

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: I herewith inclose a proof of the men furnished by the town of East Kingston, in the First Congressional District in this State.

I therefore request that an order be issued for the release of the surplus men, agreeably to your letter to me of the 19th of July last.

Very respectfully, your obedient servant,

J. A. GILMORE,
Governor.

(No. 21.)

SEPTEMBER 4, 1863.

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

Will you please return the proof of the men furnished by the town of East Kingston with your order to release the surplus men, agreeably to my letter to you of the 29th ultimo.

J. A. GILMORE,
Governor.

(No. 22.)

CONCORD, *September 5, 1863.*

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: I herewith inclose proof of volunteers furnished by the towns of Rollinsford, Fremont, and Dover, First Congressional District, and Andover, Second District, in this State. I therefore request that an order be issued for the release of the surplus men, agreeably to your letter to me of the 19th of July last.

Very respectfully, your obedient servant,

J. A. GILMORE,
Governor of New Hampshire.

But by due course of mail came the following letter from the Provost-Marshal-General:

(No. 23.)

WAR DEPARTMENT, PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 5, 1863.

His Excellency J. A. GILMORE,
Governor of New Hampshire, Concord, N. H.:

SIR: Your letter of the 29th ultimo and your dispatch of the 4th instant have been received. The subject of giving credit to towns for men furnished in excess of their quotas upon previous calls has been most carefully considered.

The proposition contained in my letter to Governor Andrew was made to relieve a case of local hardship, and without any intention of making it general, or supposing that it would be so considered. The numerous applications made by various towns and other small organizations soon satisfied me that it would be difficult, if not impossible, to find any principle of adjustment which would apply to all or to any great number of cases. I was under the impression that the scheme devised and suggested to Governor Seymour and others would be of some practical effect, which was to ascertain the names of men claimed to have been furnished and compare them with the muster-rolls on file in the War Department.

In one or two instances where this has been attempted it is found to be a very extensive labor, and no adequate results have been arrived at, and the time which would be taken up with the claims of all who choose to make them would cause so much delay as to defeat the object in view, and also interfere seriously with other important business.

An earnest and faithful effort has been made to carry out the plan, but the very effort has brought out so many difficulties and complications which I did not foresee, and developed so many obstacles which cannot be overcome, that I am at last compelled to abandon the idea. I wrote to Governor Andrew under the impression that the matter was one affecting only a limited section, and which could be quickly attended to, but it has so much increased that now, even if the claims of towns could all be adjusted and granted, it would almost neutralize the effects of the draft, and to raise men enough from the few towns which admit a deficiency would be impossible.

While I thus frankly admit my inability to do what I contemplated, and give my reasons for it, I can at least ask and hope for acquiescence in a decision which has become unavoidable. The previous action of towns and counties in excess show that they possess a patriotic sense of the necessity, the absolute necessity, of pressing to a victorious conclusion the war—upon which we stand or fall as a nation—and of providing men and means for the purpose. I therefore rely upon their patriotism, their interest in a return of peace and prosperity, to abate a little their claims for previous generosity, and, if drafted, to assume cheerfully the honor which awaits them of being the winners of the last victory.

No one appreciates more than I do the propriety of making and even insisting upon having due credit allowed for the services already rendered and the sacrifices already endured, but in attempting this it will not do to yield the great point of providing means of making a speedy termination of the war, and 1,000 men now may save the necessity of calling for 10,000 in future.

It is proper for me to inform you, also, that the Secretary of War has decided that he has no authority under the laws of Congress to deduct the overplus of volunteers which may have been furnished by towns from the quota now ordered by draft from those towns.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

The announcement of this result certainly operated as a surprise upon the Governor and the people of the State.

They were hereby informed that "the subject of giving credit to towns for men furnished in excess of their quotas upon previous calls has been most carefully considered." But had not the subject been "most carefully considered" prior to the date of Marshal Fry's letter of July 19? (No. 12.) Had not the Governor's communication and the resolutions of the Legislature been "submitted to the Solicitor of the War Department and the Judge-Advocate-General" "for mature consideration" prior to the date of Mr. Stanton's letter of July 17? (No. 10.) Was not the Governor informed by Mr. Fry's dispatch of the same date (No. 11) that pending such consideration the draft in New Hampshire "must not proceed" till the answer of the Solicitor was received? Was not the result of such consideration communicated on the 19th of July by General Fry's letter of that date? Was any intimation of any change of views or purposes given by the Department at Washington or by any power connected therewith from that date till the 5th of September? Was not the official document of July 19 clear and explicit in its terms, without qualification and without local limitation? Was it not intended to be so, and to be so considered? Had it ever been hinted that a similar proposition, contained in a letter to Governor Andrew, was made "to relieve a case of local hardship, and without any intention of making it general, or supposing that it would be so considered?" Was it Mr. Fry's impression when he wrote to Governor Andrew that "the matter was one affecting only a limited section?" Had he not already made the application of the principle general to the "limited section" of the State of New Hampshire? Had not Mr. Fry, by his letter of July 19, given assurance that "if it shall be made to appear to the Provost-Marshal-General by the Governor of any State that particular towns to which quotas have been assigned have heretofore actually furnished a surplus of men over their quotas," an order will be issued discharging a number of men equal to such surplus? Was Mr. Fry "soon satisfied that it would be difficult, if not impossible, to find any principle of adjustment which would apply to all or to a great number of cases?" If so, did he communicate that impression to the Governor of New Hampshire, acting, as the people did, upon the faith of the contrary impression, which was made the basis of the "principle of adjustment" so clearly announced by the letter of July 19? Was not the "principle of adjustment" recognized as late as the 26th of August, the date of Mr. Fry's dispatch concerning nine-months' men (No. 18), after that subject had been referred by the Secretary of War to Mr. Fry, according to Mr. Stanton's dispatch of the same date? (No. 17.)

Is it not a little singular that information is given for the first time, on the 5th of September (No. 23), that "the Secretary of War has decided that he has no authority under the laws of Congress to deduct

the overplus of volunteers," when the same law of Congress is interpreted by Mr. Fry, in his letter of July 19, in such a way as to sanction the desired "principle of adjustment," and that, too, after "mature consideration" not only by the Provost-Marshal-General, but also by the Secretary of War and the Solicitor of the War Department? May not the people of New Hampshire, who have responded as volunteers by multitudes in excess of the President's repeated calls, reasonably inquire by what "principle of adjustment" the people of Indiana and other States, who have done no better, are relieved from the draft? And if the answer be that they have furnished an excess of volunteers greater than the quota now required of them by draft, and therefore they shall be wholly excused, does not the same principle of adjustment require that New Hampshire, having furnished voluntarily a part of the quota now required, shall therefore be partially excused?

But as the matter now stands Mr. Fry's letter of September 5 furnishes the only reply to these questions.

And now, why do the people of New Hampshire complain and call so urgently and persistently upon the Executive for relief? None can doubt their loyalty or patriotism. We all perceive that they have never failed to do their duty in every crisis of this terrible and wicked rebellion—they will do it still; they will stand by the country and her flag and defend both, even to the last dollar and the last man. Having been tried, they have not yet been found wanting. They are ready to suffer more and still more if fate so ordains. They do not fail to recognize the necessity of pressing the war to a victorious conclusion. They are willing to abate not "a little their claims for previous generosity." But those communities which have been drained of their young men and their strong men, those whose sons have borne all the burden and heat of the whole long battle-day whilst others have stood all the day idle, cannot but feel wronged if, while the latter are only required to perform a reluctant duty, the generous towns having but little left, shall be deprived even of all the remnant of their strength and valor.

The people of this State are not captious nor querulous, but their intelligence supplies them with strong convictions of justice and equality, and their last respectful but urgent appeal to the Government for the performance of its plighted vows comes from them only when their dwellings are hung with mourning and their hearts are heavy with bereavement.

May I be permitted to advise that the whole subject be again submitted to the proper authorities at Washington, with the expression of an earnest hope that it may receive the most careful reconsideration, and that the result may be such that a grateful people may not fail to recognize the wisdom, equity, and tender care of a protecting Government?

I am, gentlemen, very respectfully, your obedient servant,

WM. L. FOSTER.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 16, 1863.

His Excellency HORATIO SEYMOUR,
Governor of New York, Albany, N. Y.:

SIR: I have the honor to inform you that orders have this day been sent to the Board of Enrollment of the Eleventh District of New York,

directing that a draft be made on that district for 1,945 men of the first class.

I would respectfully invite your attention to the communication sent you from this Bureau on July 1, 1863, and request that the suggestions therein contained be carried out in this case.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington, D. C., September 16, 1863.

Maj. GEORGE L. STEARNS,
Saint Cloud Hotel, Nashville, Tenn.:

I am directed by the President to answer the inquiries contained in your telegram of the 12th instant, as follows:

First. All men who enlist into the service of the United States during the present rebellion will, at the expiration of their term of service, be free.

Second. Under existing laws non-commissioned officers in colored regiments are not authorized to receive higher pay than privates, but at the next Congress they will no doubt be put upon the same footing as to pay as other non-commissioned officers.

Third. Slaves of loyal citizens may be enlisted into the service of the United States with their master's consent.

Fourth. If, in the judgment of the Military Governor of Tennessee and General Rosecrans, the necessities of the service require the enlistment by conscription or the voluntary enlistment of slaves of loyal citizens without their master's consent, they may be enlisted into the service of the United States, giving to the owners a descriptive list of the persons so enlisted, in order that they may receive compensation from the Government upon their delivery of emancipation papers, the compensation not to exceed the sum authorized by law as bounties for volunteer service. Slaves so enlisted will be free upon the expiration of their term of service.

You will acknowledge the receipt of this telegram and communicate a copy of it to General Rosecrans and Governor Johnson.

EDWIN M. STANTON,
Secretary of War.

NASHVILLE, *September 16, 1863.*

Hon. E. M. STANTON:

If I take all the able-bodied colored men willing to enlist I can get large numbers. Governor Johnson objects, and will telegraph you.

GEO. L. STEARNS,
Major and Assistant Adjutant-General.

WAR DEPARTMENT,
Washington, D. C., September 16, 1863.

Maj. GEORGE L. STEARNS,
Nashville:

If you have received my telegram of this date in reply to yours of the 12th, acknowledge it. You will not act contrary to the wishes of

Governor Johnson in relation to enlistments without express authority for so doing from this Department.

EDWIN M. STANTON,
Secretary of War.

GENERAL ORDERS, No. 315. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, September 17, 1863.*

The following act of Congress, and proclamation of the President, based upon the same, are published for the information of all concerned; and the special instructions hereinafter contained for persons in the military service of the United States will be strictly observed:

AN ACT relating to habeas corpus, and regulating judicial proceedings in certain cases. Approved March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, during the present rebellion, the President of the United States, whenever in his judgment the public safety may require it, is authorized to suspend the privilege of the writ of habeas corpus in any case throughout the United States, or any part thereof. And whenever and wherever the said privilege shall be suspended, as aforesaid, no military or other officer shall be compelled, in answer to any writ of habeas corpus, to return the body of any person or persons detained by him by authority of the President; but upon the certificate under oath of the officer having charge of any one so detained that such person is detained by him as a prisoner under authority of the President, further proceedings under the writ of habeas corpus shall be suspended by the judge or court having issued the said writ, so long as said suspension by the President shall remain in force and said rebellion continue.

BY THE PRESIDENT OF THE UNITED STATES:

A PROCLAMATION.

Whereas, the Constitution of the United States has ordained that the privilege of the writ of habeas corpus shall not be suspended unless when in cases of rebellion or invasion the public safety may require it, and whereas, a rebellion was existing on the third day of March, eighteen hundred and sixty-three, which rebellion is still existing; and whereas, by a statute, which was approved on that day, it was enacted by the Senate and House of Representatives of the United States in Congress assembled, that during the present insurrection the President of the United States, whenever in his judgment the public safety may require, is authorized to suspend the privilege of the writ of habeas corpus in any case throughout the United States or any part thereof; and whereas, in the judgment of the President, the public safety does require the privilege of the said writ shall now be suspended throughout the United States in the cases when, by the authority of the President of the United States, military, naval, and civil officers of the United States, or any of them, hold persons under their command or in their custody, either as prisoners of war, spies, or aiders or abettors of the enemy, or officers, soldiers, or seamen enrolled, drafted, or mustered, or enlisted in, or belonging to, the land or naval forces of the United States, or as deserters therefrom, or otherwise amenable to military law, or the Rules and Articles of War, or the rules or regulations prescribed for the military or naval services by authority of the President of the United States; or for resisting a draft, or for any other offense against the military or naval service:

Now, therefore, I, Abraham Lincoln, President of the United States, do hereby proclaim and make known to all whom it may concern, that the privilege of the writ of habeas corpus is suspended throughout the United States, in the several cases before mentioned, and that this suspension will continue throughout the duration of the said rebellion, or until this proclamation shall, by a subsequent one to be issued by the President of the United States, be modified or revoked. And I do hereby require all magistrates, attorneys, and other civil officers within the United States, and all officers and others in the military and naval services of the United States, to take distinct notice of this suspension, and to give it full effect, and all citizens of the United States to conduct and govern themselves accordingly, and in conformity with the Constitution of the United States and the laws of Congress in such cases made and provided.

In testimony whereof I have hereunto set my hand, and caused the seal of the United States to be affixed, this fifteenth day of September, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States of America the eighty-eighth.

ABRAHAM LINCOLN.

By the President:

WM. H. SEWARD,
Secretary of State.

The attention of every officer in the military service of the United States is called to the above proclamation of the President, issued on the 15th day of September, 1863, by which the privilege of the writ of habeas corpus is suspended. If, therefore, a writ of habeas corpus should, in violation of the aforesaid proclamation, be sued out and served upon any officer in the military service of the United States, commanding him to produce before any court or judge any person in his custody by authority of the President of the United States, belonging to any one of the classes specified in the President's proclamation, it shall be the duty of such officer to make known by his certificate, under oath, to whomsoever may issue or serve such writ of habeas corpus, that the person named in said writ "is detained by him as a prisoner under authority of the President of the United States."

Such return having been made, if any person serving or attempting to serve such writ, either by the command of any court or judge, or otherwise, and with or without process of law, shall attempt to arrest the officer making such return and holding in custody such person, the said officer is hereby commanded to refuse submission and obedience to such arrest, and if there should be any attempt to take such person from the custody of such officer, or arrest such officer, he shall resist such attempt, calling to his aid any force that may be necessary to maintain the authority of the United States and render such resistance effectual.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR No. 85. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., September 17, 1863.*

The Secretary of War orders that the following act of Congress and proclamation of the President, based upon the same, be published for the information of all concerned, and that the special instructions hereinafter contained for persons in the military service of the United States be strictly observed.*

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 17, 1863.

GOVERNOR OF INDIANA,
Indianapolis, Ind.:

SIR: In compliance with your request of the 14th instant you are hereby authorized by the Secretary of War to supply a suitable militia force for sixty days' service, for the purpose of guarding the prison camp.

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* See act, proclamation and instructions published in General Orders, No. 315, Adjutant-General's Office, next, *ante.*

The force will be organized in accordance with the rules governing the volunteer infantry in the U. S. service, and will be regularly mustered into service by the U. S. mustering officer for the State.

I have the honor, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

NEW YORK, *September 17, 1863.*

The PRESIDENT:

The U. S. judge and several State judges here have already practically observed your bold and wise proclamation.

Mr. Evarts writes me his approval from his country place at Windsor, Vt.

E. DELAFIELD SMITH.

PHILADELPHIA, PA., *September 17, 1863.*
(Received 4.25 p. m.)

Hon. E. M. STANTON:

The judge fully sustained the President's proclamation in court to-day. I am confident his course will be free from objection.

GEO. CADWALADER,
Major-General.

NASHVILLE, TENN., *September 17, 1863.*

ABRAHAM LINCOLN,
President of the United States:

I have just received your letter,* which gives me pleasure and encouragement. It reminds me of calling your attention while in Washington to the fourth section of the Constitution, and the propriety under that section of authorizing the military government to exercise all power necessary and proper to secure to the people of Tennessee a republican form of government. You will perhaps remember that I showed you a paper, which was drawn up, containing the whole proposition, which you indorsed and referred to the Secretary of War. Such authority, emanating from the President under the clause above referred to, would exert much influence on the public mind here. I desire it direct from the President. I have taken decided ground for emancipation—for immediate emancipation, from gradual emancipation. Now is the time for settlement of the question. Hence I am for immediate emancipation.

A. JOHNSON,
Military Governor.

NASHVILLE, TENN., *September 17, 1863.*

Hon. E. M. STANTON:

I have made the acquaintance, &c., of Major Stearns, assistant adjutant-general, U. S. Volunteers, who is here with authority to raise negro troops in the Department of the Cumberland. We have been taking steps in that direction, and have organized the men with a double purpose—first, to employ them on the Government works where

*Of September 11, p. 789.

needed, and then convert them into soldiers—and have so far succeeded well. We need more laborers now than can be obtained for the prosecution of works that are indispensable to sustain the rear of General Rosecrans' army. Major Stearns proposes to organize and place them in camp, where they, in fact, remain idle. This will to a very great extent impede the progress of the works and diminish the number of hands employed. All the negroes will quit work when they can go into camp and do nothing. We must control them for both purposes. I must be frank in stating my opinion that Major Stearns' mission, with his notions, will give us no aid in organizing negro regiments in Tennessee. There are a number of persons running in from the other States who are anxious to raise such regiments for the simple purpose of holding the offices, without regard to the condition of the negro or the suppression of the rebellion. I must further state that we can organize colored regiments in Tennessee as well as we can others, and that we can find more men in Tennessee ready and willing to command than we can raise regiments to command in Tennessee. Will raise negro troops and lead them to battle. It will have much better influence upon the public mind. We are just now beginning to organize and put the State facilities in motion. It is exceedingly important for this question to be handled in such way as will do the least injury in forming a correct public judgment at this time. We hope, therefore, that the organization of negro regiments in Tennessee will be left to the general commanding this department and the Military Governor. I would respectfully ask that the President may be furnished a copy of this telegram. An early answer is respectfully asked.

ANDREW JOHNSON.

NASHVILLE, *September 17, 1863.*

Maj. Gen. ROSECRANS:

I have sent a telegram to the Secretary of War in regard to Major Stearns' mission to your department. I have expressed the opinion to him fully and freely that the commanding general of this department and Military Governor of Tennessee can organize and employ all the negroes in Tennessee upon the public works or as soldiers as well without as with the aid of Major Stearns at this time. General, while we are just verging upon a reorganization of the State, it is important that this question should be handled with care, and we must have your aid and assistance. We are doing all we can to keep everything right in your rear. There have been some improper and injurious steps taken by those who have been recruiting negro troops, of which I will apprise you more fully. I shall be with you in a few days, when I can confer with you fully in regard to the thorough organization of the State.

ANDREW JOHNSON,
Military Governor.

CIRCULAR No. 86. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., September 18, 1863.*

The following opinion of Col. Joseph Holt, Judge-Advocate-General, is published for the information and guidance of all officers of this Bureau:

Opinion.—The right of a party drafted to insist on his exemption from service is a privilege which he may waive, and which he certainly does waive when he

furnishes a substitute or pays the commutation. He cannot afterward be permitted to retract that waiver.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington City, D. C., September 18, 1863.

Maj. THOMAS M. VINCENT,
Assistant Adjutant-General, Adjutant-General's Office:

MAJOR: I have the honor to inform you that orders have been sent to the boards of enrollment to make a draft on the following States and districts upon the dates mentioned below:

Date.	State.	District.	Number of men.
Sept. 16	New York	Eleventh	1,945
5	do	Fourteenth	2,514
5	Pennsylvania	Tenth	2,783
5	do	Eleventh	2,490
5	do	Twelfth	2,803
5	do	Thirteenth	1,790
12	Ohio	First	532
12	do	Second	456
12	do	Third	502
12	do	Fourth	435
12	do	Fifth	400
12	do	Sixth	460
12	do	Seventh	442
12	do	Eighth	861
12	do	Ninth	507
12	do	Tenth	448
12	do	Eleventh	407
12	do	Twelfth	465
12	do	Thirteenth	425
12	do	Fourteenth	407
12	do	Fifteenth	405
12	do	Sixteenth	413
12	do	Seventeenth	378
12	do	Eighteenth	429
12	do	Nineteenth	437

I am, major, very respectfully, your obedient servant,
GEO. D. RUGGLES,
Assistant Adjutant-General.

LOUISVILLE, KY., *September 18, 1863.*

Hon. E. M. STANTON,
Secretary of War:

The Eighth Kentucky Cavalry just mustered out; many of them re-enlist, and there are now six companies. Will you authorize me to make it a cavalry regiment and order the ordnance officer to furnish the arms and horse equipments on requisition of General Boyle? I have conferred with General Boyle and he concurs with me as [to] propriety and advantage of organizing the regiment as cavalry. I hope to receive the authority from you at Frankfort on my return there to-morrow.

THOS. E. BRAMLETTE,
Governor of Kentucky.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 18, 1863.

His Excellency HORATIO SEYMOUR,
Governor of New York, Albany, N. Y.:

SIR: I have the honor to inform you that orders have this day been sent to the Board of Enrollment of the Tenth District of New York, directing that a draft be made on that district for 2,270 men of the first class. I would respectfully invite your attention to the communication sent you from this Bureau on July 1, 1863, and request that the suggestions contained therein be carried out in this case.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

COLUMBUS, *September 18, 1863.*

Hon. E. M. STANTON,
Secretary of War:

I have received the authority to raise additional volunteers, and am of the opinion that the liberal bounties offered will enable me to do a great work. Shall confine my efforts mainly to filling up old regiments. Under authority given by order of the 17th ultimo I am raising a cavalry regiment. Please order that the extra bounties be given the organization.

DAVID TOD,
Governor.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,
Columbus, September 18, 1863.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.:

DEAR SIR: The generous bounties now offered by the Government to recruit will, I doubt not, greatly stimulate recruiting, but without the order I am about to ask for I fear the old regiments now in the field will be but little benefited by it. To insure success in recruiting the officer engaged in the work must have his commission to earn. This not only stimulates him, but it also enlists his friends in the work.

I have therefore to recommend that you authorize the several commanders of regiments, battalions, and batteries to detail and send home, for the purpose of recruiting, such officers and men as are worthy of promotion, with orders to report to me for recruiting commissions, and I doubt not we can promptly raise all the additional force you desire from Ohio.

Anxious as I am to save the existence of every Ohio regiment now in the field until the war is over, and entertaining the opinion for some time past that the mode now recommended for filling them up was the best that could be adopted, I have abstained as much as possible from filling vacancies that from time to time occurred, so that I have now more or less vacancies in almost every regiment, the total number amounting to more than 400.

* * * * * * *

Very respectfully, yours,

DAVID TOD,
Governor.

EXECUTIVE MANSION,
Washington, D. C., September 18, 1863.

Hon. ANDREW JOHNSON,
Nashville, Tenn.:

Dispatch of yesterday just received. I shall try to find the paper you mention and carefully consider it. In the meantime let me urge that you do your utmost to get every man you can, black and white, under arms at the very earliest moment, to guard roads, bridges, and trains, allowing all the better trained soldiers to go forward to Rosecrans. Of course I mean for you to act in co-operation with and not independently of the military authorities.

A. LINCOLN.

WAR DEPARTMENT,
Washington, D. C., September 18, 1863.

Brig. Gen. ANDREW JOHNSON,
Military Governor, Nashville:

Your telegram just received. Major Stearns was sent to Nashville to aid in the organization of colored troops under your directions and the directions of General Rosecrans. To prevent any possible misunderstanding he was directed to report to you and the commanding general. He is, while in your State, your subordinate, bound to follow your directions, and may be relieved by you whenever his action is deemed by you prejudicial. Upon your judgment in matter relating to the State of which you are Governor, the Department relies in respect to whatever relates to the people, whether white or black, bond or free. No officers of colored troops will be appointed but in accordance with your views as the Chief State Executive. If Major Stearns can be of no aid, and his presence is obnoxious, he will of course be removed, whether relieved by you or not.

EDWIN M. STANTON.

WAR DEPARTMENT,
Washington, D. C., September 18, 1863.

Major STEARNS,
Nashville:

If any difference of opinion exists or shall arise between Governor Johnson and yourself respecting the organization and employment of colored men in the State of Tennessee, he being the State Executive, you will conform your action to his views. All dissension is to be avoided, and if there is any want of harmony between you you had better leave Nashville and proceed to Cairo to await orders, reporting by telegraph your departure from Nashville and your arrival at Cairo.

EDWIN M. STANTON,
Secretary of War.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, September 18, 1863.

Major-General FOSTER,
Comdg. Dept. of Virginia and North Carolina, Fort Monroe:

GENERAL: I have respectfully to acknowledge the receipt of your letter of the 2d instant to the Secretary of War in reference to

raising a regiment of loyal Virginia troops in your department. In reply I am directed to inform you that this is authority for you to recruit a regiment, if after careful consideration you are convinced the undertaking will be successful. All enlistments must be for three years or during the war, and the troops will be liable to serve wherever ordered. The organization and all musters into service must conform to established regulations. The Department has already made one attempt to recruit a regiment of loyal Virginians in the eastern part of the State, and after enlisting some 700 men Major-General Heintzelman recommended the disbanding of the organization on account of the number of desertions and the worthless character of the force. The result of this attempt would tend to show that another to raise a like force might not be fruitful. If with all the facts before you you conclude to attempt the recruitment, please report the fact to the Department, when a numerical designation for the regiment will be given and arrangements will be made to appoint the officers.

I am, sir, &c.,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington, September 19, 1863.

Governor MORTON,
Indianapolis:

You are authorized to release the 200 Catholic Confederates mentioned in your telegram, and the colonel of the Thirty-fifth Indiana is authorized to enlist and muster them into his regiment, but without premium, advance pay, or bounty.

The commandant of Camp Morton on presentation of this telegram and your request will discharge them, making out a muster roll or descriptive list and returning it to the Commissary-General of Prisoners.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington City, September 19, 1863.

Governor BRAMLETTE,
Frankfort, Ky.:

Your telegram of yesterday just received. You are authorized to re-enlist the Eighth Kentucky Cavalry as a regiment of cavalry in the U. S. service for three years or during the war. Order will be given to the Ordnance Department to furnish the arms and equipments upon General Boyle's requisition as soon as the regiment is reported filled and organized.

EDWIN M. STANTON,
Secretary of War.

Additional exhibit of credits, State of Michigan, as reported to the Provost-Marshal-General by letter September 21, 1863.

Prior to May 26, 1863:		
1 company 23d Illinois Volunteers		99
2 companies Merrill's Horse (Missouri)		164
Recruits:		
February 8 to April 1, 1862	412	
April 1, 1862, to May 26, 1863	2,608	
Total	3,020	
Previously credited	2,435	
Difference		585
		848
143 recruits for nine months=three years		86
Total		884
Subsequent to May 26, 1863:		
9th Cavalry	1,053	
1st Sharpshooters	874	
11th Battery	150	
12th Battery	110	
Companies M and L, Seventh Cavalry	178	
Recruits (including Invalid Corps, from May 26 to August 28, 1863)	1,135	
	3,504	
Men mustered (as per daily reports from August 29 to September 19, 1863)	727	
		4,231
Total, three-years' standard		5,115

THOMAS M. VINCENT,
Assistant-Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
September 19, 1863.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 19, 1863.

His Excellency HORATIO SEYMOUR,
Governor of New York, Albany, N. Y.:

SIR: I have the honor to inform you that orders have this day been sent to the Board of Enrollment of the Fourteenth District of the State of New York directing that a draft be made on that district for 2,324 men of the first class. This will be substituted for the order sent on the 5th instant.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

EXECUTIVE MANSION,
Washington, D. C., September 19, 1863.

Hon. ANDREW JOHNSON,
Military Governor of Tennessee:

You are hereby authorized to exercise such powers as may be necessary and proper to enable the loyal people of Tennessee to present such a republican form of State government as will entitle the State to the guarantee of the United States therefor, and to be protected

under such State government by the United States against invasion and domestic violence. All according to the fourth section of the fourth article of the Constitution of the United States.

ABRAHAM LINCOLN.

INDIANAPOLIS, IND., *September 20, 1863.*

Hon. E. M. STANTON:

I have issued a call for four regiments of cavalry and eleven regiments of infantry, being one regiment of infantry for each Congressional district, and have every prospect of raising them speedily. Upon consultation with officers of much experience in recruiting, and in view of the early approach of winter, I respectfully suggest that the amount of bounty to be advanced, so far as Indiana is concerned, be increased to $100. I am very sure the change will greatly facilitate the raising of the regiments. Please answer by telegraph.

O. P. MORTON,
Governor of Indiana.

CIRCULAR No. 88. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, D. C., September 21, 1863.*

I. The attention of the members of boards of enrollment is called to paragraphs 86 (as amended), 93, 94, and 95, of the Regulations for the Government of the Bureau of the Provost-Marshal-General of the United States.

Any neglect or violation of the orders therein promulgated will result in the dismissal of the offender. The paragraphs referred to are as follows:

86 (as amended). No certificate of a physician or surgeon is to be received in support of any point in the claim of drafted men for exemption from military service unless the facts and statements therein set forth are affirmed or sworn to before a civil magistrate competent to administer oaths. Such certificate can in no manner relieve the surgeon of the Board, either from the duty devolved upon him by the fourteenth section of the enrollment act, carefully to inspect all drafted persons, or from the responsibility imposed upon him by the fifteenth section of the same law, to make "a faithful inspection and true report" in each case.

93. The examining surgeons will also remember that the object of the drafted men, in claiming exemption, may be to escape from service by pretended, simulated, or fictitious diseases, or by exaggerating or aggravating those that really exist, and that the design of substitutes frequently is to conceal disqualifying infirmities.

94. The examination by the examining surgeon is to be conducted in the daytime, in the presence of the Board of Enrollment, and in a room well lighted and sufficiently large for the drafted man to walk about and exercise his limbs, which he must be required to do briskly.

95. The man is to be examined stripped.

II. It is reported that in many cases able-bodied men, presented for examination as substitutes and passed by the Board, fail to reach the general rendezvous, but are replaced before their arrival there by others, answering to the same name, feeble in constitution or otherwise disqualified for the military service.

Provost-marshals will in all cases be held responsible that the substitutes delivered at general rendezvous are the identical men who were examined and passed as such by the Board. They will adopt stringent measures to insure this identity.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., ———, 1863.

TO PROVOST-MARSHAL ——, DISTRICT OF ——:

The following regulations are established, with the approval of the Secretary of War, for your district, and will govern in the matter of apprehension of deserters and in the enlistment of recruits to fill old regiments:

I. To persons deputized by the Provost-Marshal-General to arrest deserters and procure recruits, who shall deliver to you a deserter from the Army of the United States, including deserters from the late draft (see section 13, enrollment act), the sum of $30 shall be paid, said payment to be made in accordance with the rules now governing the payment of reward for deserters. No expenses of apprehension or delivery of deserters will be allowed.

II. The moneys received from drafted persons as an exemption from service, under the thirteenth section of the act, shall constitute a substitute fund for the payment of premiums and bounties to recruits procured as herein specified.

III. Persons deputized as aforesaid to arrest deserters and procure recruits, presenting to your Board a man acceptable as a recruit, according to the present ruling of acceptability as applied by this Bureau, shall receive premiums as follows, to wit:

For an accepted recruit, who may be shown to the Board to have served at least nine months as a soldier, and been honorably discharged (for other cause than disability), a premium of $25.

For an accepted recruit without the military qualifications above specified, a premium of $15.

The premiums herein provided will be paid to the persons who shall have presented the accepted recruit, as soon as said recruit shall have been delivered at the general rendezvous at ——. The payment of the premium will be made by ——, in the ——, whenever the person who furnished the recruit shall present to him a certificate from your Board that the recruits named and for whom he claims premiums were accepted and regularly enlisted, and a certificate from the commanding officer at the general rendezvous at —— that the said recruits have actually been received at his rendezvous.

You are authorized and required, notwithstanding anything else herein contained, to decline all business, in the matter of recruits, with any person or persons who may at any time practice, or attempt to practice, fraud or imposition either upon the Government or the person presented as a recruit, or who shall extort, claim, or receive any other fee, perquisite, or compensation from the Government or the recruit than the premium herein authorized and provided, and such persons shall forfeit their appointments and all right to any premium or payment and be reported to the Provost-Marshal-General, to be dealt with summarily by a military commission.

You are required to facilitate the procuration of recruits in the manner herein prescribed, by early examination of them, prompt preparation of certificates upon which the payment of premiums depend, and by everything else properly devolving on you calculated to assist the persons presenting recruits in securing their premiums without unnecessary delay. You will immediately nominate, through the acting assistant provost-marshal-general of the State, one or more persons whom you deem best suited for recruiting agents for your district, that they may be deputized for that purpose.

IV. Bounties, &c., as follows, will be paid to all persons who may be accepted by your Board as recruits, in accordance with this order, to wit:

To every recruit who is a veteran volunteer, as defined in General Orders, No. 191, of June 25, 1863, for recruiting veteran volunteers, one month's pay in advance, and a bounty and premium amounting to $402, will be paid as follows:

1. At the general rendezvous, and before leaving the same to join his regiment or company, the veteran volunteer recruit will be paid one month's pay in advance	$13
First installment of bounty	25
Premium	2
Total pay before leaving general rendezvous	40

This will be paid in cash, or checks for transmittal, in whole or part, as the man may desire.

2. At the first regular pay-day, or two months after muster-in, an additional installment of bounty will be paid	$50
Making pay and bounty then received	76
3. At the first regular pay-day after six months' service he shall, in addition to his pay, be paid an additional installment of bounty	50
4. At the first regular pay-day after the end of the first year's service, in addition to his pay, an additional installment of bounty will be paid	50
5. At the first regular pay-day after eighteen months' service, in addition to his pay, an additional installment of bounty will be paid	50
6. At the first regular pay-day after two years' service, in addition to his pay, an additional installment of bounty will be paid	50
7. At the first regular pay-day after two and a half years' service, in addition to his pay, an additional installment of bounty will be paid	50
8. At the expiration of three years' service, or to any soldier who may be honorably discharged after two years' service, the remainder of the bounty will be paid	75

To all other recruits, not veterans, accepted and enlisted as herein required, one month's pay in advance, and in addition a bounty and premium amounting to $302, shall be paid, as follows:

1. At the general rendezvous, and before leaving the same to join his regiment or company, the recruit accepted under this authority will be paid one month's pay in advance	$13
First installment of bounty	25
Premium	2
Total pay before leaving general rendezvous	40

To be paid in cash, or checks for transmittal, in whole or in part, as the recruit may desire.

2. At the first regular pay-day, or two months after muster-in, an additional installment of bounty will be paid	40
Making pay and bounty then received	66
3. At the first regular pay-day after six months' service, in addition to his pay, he shall be paid an additional installment of bounty	40
4. At the first regular pay-day after the end of the first year's service, in addition to his pay, an additional installment of bounty will be paid	40
5. At the first regular pay-day after eighteen months' service, in addition to his pay, an additional installment of bounty will be paid	40
6. At the first regular pay-day after two years' service, in addition to his pay, an additional installment of bounty will be paid	40
7. At the expiration of three years' service, or to any soldier who may be honorably discharged after two years' service, the remainder of the bounty will be paid	75

If the Government shall not require these troops for the full period of three years, and they shall be mustered honorably out of the service before the expiration of their term of enlistment, they shall receive, upon being mustered out, the whole amount of bounty

remaining unpaid, the same as if the full term had been served. The legal heirs of recruits who die in service shall be entitled to receive the whole bounty remaining unpaid at the time of the soldier's death.

RÉSUMÉ.

Rewards and premiums to be paid for arrest of deserters and procuration of recruits.

For arrest and delivery of a deserter	$30.00
For an accepted recruit (veteran)	25.00
For an accepted recruit (not veteran)	15.00

Total amounts to be paid in cash to recruits as pay, bounty, and premium.

Before leaving general rendezvous	$40.00

If continued in service for three years the pay and bounty received will be at the following rates:

For veteran volunteers, per month	$24.00
For other soldiers, not veterans, per month	21.80

If discharged at the end of two years the pay and bounty received will be at the following rates:

For veteran volunteers, per month	$29.70
For other soldiers, not veterans, per month	25.50

If honorably mustered out in less than two years as not being required the monthly rate of compensation will become increased as the term of service is diminished.

In addition to this he is furnished with his provisions, clothing, and medical attendance, and is paid in cash for such part of his allowance of clothing as he does not draw.

V. Men enlisted under this order will be assigned to old regiments.*

JAMES B. FRY,
Provost-Marshal-General.

INDIANAPOLIS, IND., *September 21, 1863.*

Hon. E. M. STANTON,
Secretary of War:

I have called for fifteen new regiments—four of cavalry and eleven of infantry—and will move everything to raise them, and believe I can. I hope the suggestions I made to you and Colonel Fry will be adopted. I intend to make such an effort as has never before been made in the State. I am waiting to hear from you.

O. P. MORTON.

INDIANAPOLIS, *September 21, 1863.*

Hon. E. M. STANTON:

I desire to employ a number of first-class public speakers to canvass the districts and recruit for the additional force authorized from this State, and request authority to pay them the same premium for

*It appears that on October 24, 1863, a new form was adopted, with the following modifications, viz: The premiums for recruits and the reward for deserters to be paid to any person bringing them in, *except civil officers*. The first installment of bounty to veteran and non-veteran recruits was increased from $25 to $60, and the total pay before leaving the general rendezvous to $75; and the sum of $40 (instead of $75) to be paid at the expiration of three years' service or when honorably discharged after two years' service. Paragraph V was changed to read: "Men enlisted under this order will be permitted to select their regiments, which, however, must be old regiments in the field."

In testimony whereof I have hereunto set my hand, and caused the seal of the United States to be affixed, this fifteenth day of September, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States of America the eighty-eighth.

ABRAHAM LINCOLN.

By the President:

WM. H. SEWARD,
Secretary of State.

The attention of every officer in the military service of the United States is called to the above proclamation of the President, issued on the 15th day of September, 1863, by which the privilege of the writ of habeas corpus is suspended. If, therefore, a writ of habeas corpus should, in violation of the aforesaid proclamation, be sued out and served upon any officer in the military service of the United States, commanding him to produce before any court or judge any person in his custody by authority of the President of the United States, belonging to any one of the classes specified in the President's proclamation, it shall be the duty of such officer to make known by his certificate, under oath, to whomsoever may issue or serve such writ of habeas corpus, that the person named in said writ "is detained by him as a prisoner under authority of the President of the United States."

Such return having been made, if any person serving or attempting to serve such writ, either by the command of any court or judge, or otherwise, and with or without process of law, shall attempt to arrest the officer making such return and holding in custody such person, the said officer is hereby commanded to refuse submission and obedience to such arrest, and if there should be any attempt to take such person from the custody of such officer, or arrest such officer, he shall resist such attempt, calling to his aid any force that may be necessary to maintain the authority of the United States and render such resistance effectual.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR } WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
No. 85. } *Washington, D. C., September 17, 1863.*

The Secretary of War orders that the following act of Congress and proclamation of the President, based upon the same, be published for the information of all concerned, and that the special instructions hereinafter contained for persons in the military service of the United States be strictly observed.*

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 17, 1863.

GOVERNOR OF INDIANA,
Indianapolis, Ind.:

SIR: In compliance with your request of the 14th instant you are hereby authorized by the Secretary of War to supply a suitable militia force for sixty days' service, for the purpose of guarding the prison camp.

* See act, proclamation and instructions published in General Orders, No. 315, Adjutant-General's Office, next, *ante*.

The force will be organized in accordance with the rules governing the volunteer infantry in the U. S. service, and will be regularly mustered into service by the U. S. mustering officer for the State.

I have the honor, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

NEW YORK, *September 17, 1863.*

The PRESIDENT:

The U. S. judge and several State judges here have already practically observed your bold and wise proclamation.

Mr. Evarts writes me his approval from his country place at Windsor, Vt.

E. DELAFIELD SMITH.

PHILADELPHIA, PA., *September 17, 1863.*
(Received 4.25 p. m.)

Hon. E. M. STANTON:

The judge fully sustained the President's proclamation in court to-day. I am confident his course will be free from objection.

GEO. CADWALADER,
Major-General.

NASHVILLE, TENN., *September 17, 1863.*

ABRAHAM LINCOLN,
President of the United States:

I have just received your letter,* which gives me pleasure and encouragement. It reminds me of calling your attention while in Washington to the fourth section of the Constitution, and the propriety under that section of authorizing the military government to exercise all power necessary and proper to secure to the people of Tennessee a republican form of government. You will perhaps remember that I showed you a paper, which was drawn up, containing the whole proposition, which you indorsed and referred to the Secretary of War. Such authority, emanating from the President under the clause above referred to, would exert much influence on the public mind here. I desire it direct from the President. I have taken decided ground for emancipation—for immediate emancipation, from gradual emancipation. Now is the time for settlement of the question. Hence I am for immediate emancipation.

A. JOHNSON,
Military Governor.

NASHVILLE, TENN., *September 17, 1863.*

Hon. E. M. STANTON:

I have made the acquaintance, &c., of Major Stearns, assistant adjutant-general, U. S. Volunteers, who is here with authority to raise negro troops in the Department of the Cumberland. We have been taking steps in that direction, and have organized the men with a double purpose—first, to employ them on the Government works where

* Of September 11, p. 789.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, September 22, 1863.

Governor MORTON,
Indianapolis, Ind.:

The matter presented in your telegram of making the first payment of bounty $100 has been carefully considered, and the Secretary does not consider that it would be best at this time to change the plan adopted and sent forth.

JAMES B. FRY,
Provost-Marshal-General.

INDIANAPOLIS, *September 22, 1863.*

Colonel FRY:

I hope you will grant my request in regard to the bounty. The danger of desertion is nothing compared to the danger of not getting the regiments. I want to revive the spirit of volunteering in the West, and believe I can if you grant my request. If I fail, the failure is mine.

O. P. MORTON,
Governor.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 22, 1863.

ADJUTANT-GENERAL OF MICHIGAN,
Detroit, Mich.:

SIR: I have the honor to acknowledge the receipt of your letter of the 14th instant, with inclosures, in reference to additional credits for troops furnished by your State. In reply I have the honor to inform you that the State has been credited with the following additional:

Prior to May 26, and not embraced in statement of that date	884
Subsequent to May 26, and to include September 19	4,231
Total, reduced to three-years' standard	5,115

The foregoing embraces the organizations referred to in your letter of the 14th, except the Lancer Regiment and Chandler Horse Guards. The established rules of the Department will not allow a credit for the said organizations to be given. As requested by you, the muster-out rolls of the Chandler Horse Guards are respectfully returned herewith.

I have the honor, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 22, 1863.

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: In accordance with the request from your department of the 16th instant I have the honor to report that the State of Wiscon-

sin is entitled to credit for the following number of troops not heretofore reported:

Mustered in prior to June 30	1,016
Mustered in since June 30, to include September 21	397
Total number, three-years' standard	1,413

I am, colonel, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

NASHVILLE, TENN., *September 22, 1863.*
(Received 5.55 p. m.)

Hon. E. M. STANTON:

With concurrence of Governor Johnson, I ask permission to publish your telegram of the 16th instant. There is no other way to inform the loyal men that their slaves will be paid for if enlisted.

GEO. L. STEARNS,
Major and Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, September 22, 1863.

Maj. GEORGE L. STEARNS,
Nashville:

You are at liberty to publish my telegram if Governor Johnson approves it and thinks the publication would be beneficial. If, however, he desires any change in the regulations, they should be suggested for consideration here before any publication.

EDWIN M. STANTON.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 22, 1863.

ADJUTANT-GENERAL OF WISCONSIN,
Madison, Wis.:

SIR: I have the honor to acknowledge the receipt of your letter of the 9th instant in reference to additional credits for troops furnished by the State of Wisconsin. In reply I am directed to inform you that the State has this day been credited with the following additional:

Prior to June 30	1,016
Subsequent to June 30 and to include September 21	397
Total, three-years' standard	1,413

In the number 1,016 we have credited you with 87 men for the Eleventh Battery, as per your statement, yet we have no muster-in or muster and pay rolls filed of it. Will you therefore furnish a history of the organization and give station where now serving, so that our records may be perfected? The Milwaukee cavalry and Gibbon's band are included in the number 1,016. The State claims 2,545 recruits since January 1, 1862. A re-examination of our rolls indicates but 2,507, a difference of 38. This number has been credited, and I have requested the chief mustering officer to examine his records

and send a certificate to cover the number, thus completing our data. The credit of 1,016 given, your excess of three-years' troops to include June 30, would be, by our records, 6,314, differing 343 from yours. This difference results in the Second and Third Cavalry and Fourth Infantry, and cannot be credited, as our records, after a careful re-examination, indicate as follows:

Third Cavalry, 992; recruits for same, 187; thus differing from your figures	288
Second Cavalry, 1,099; recruits for same, ——; thus differing	48
Fourth Infantry, difference	6
Total	342

Our records give but 958 for the Thirty-fourth Regiment; your statement claims 961. There is thus a difference of three of the nine-months' troops.

I am, general, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 23, 1863.

GOVERNOR OF ILLINOIS,
Springfield, Ill.:

SIR: I am directed to acknowledge the receipt of your letter of the 14th instant in reference to raising a brigade of veteran volunteers from regiments from your State in the field. In reply I am directed to inform you that the object of General Orders, No. 191, current series, in reference to veterans, is to secure the re-enlistment of that class of men in regiments in which they may be serving at the time they come within the limits for re-enlistment. Thus holding, the request of Your Excellency to recruit a brigade to be commanded by Colonel Johnson cannot be granted.

I have the honor, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington, D. C., September 23, 1863.

Governor MORTON,
Indianapolis:

This Department has never sanctioned the payment of bounty or premium to rebel conscripts received into our service. Such payments are irregular and improper, and upon no consideration can be approved by this Department. You will please stop it immediately.

EDWIN M. STANTON,
Secretary of War.

INDIANAPOLIS, IND., *September 23, 1863.*

Hon. E. M. STANTON:

I fear you do not comprehend my proposition. Colonel Fry has authorized the district provost-marshals to pay a premium to any person who shall furnish a substitute. What I asked was to be authorized to pay public speakers the same premium for such recruits

as they might procure for the new regiments. In this way I could have the State thoroughly canvassed.

O. P. MORTON,
Governor.

PROVOST-MARSHAL-GENERAL'S OFFICE,
September 23, 1863.

Governor MORTON,
Indianapolis, Ind.:

I have presented the subject of modifying the bounties to the Secretary and it is not deemed best to make any change in it.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 23, 1863.

His Excellency JOHN A. ANDREW,
Governor of the State of Massachusetts, Boston, Mass.:

SIR: I have the honor to inclose herewith copies of instructions issued this day to the Boards of Enrollment in the First, Second, Third, and Fourth Districts of Massachusetts for "procuring recruits," * and to invite your attention to the desire expressed by me in my letter of the 21st instant in regard to this subject.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

(Similar letter sent October 12 to Governor Curtin in regard to First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, and Twelfth Districts of Pennsylvania, and one sent same day in regard to the Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, and Twenty-second Districts of Pennsylvania.)

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 23, 1863.

PROVOST-MARSHAL-GENERAL,
Washington, D. C.:

SIR: In reply to a letter from your department of date the 22d instant I have the honor to report that the State of Minnesota is entitled to an additional credit for the following number of troops, viz:

Prior to June 10, and not embraced in statement of that date	412
Since September 7	2
Total, three-years' standard	414

In my report of the 7th instant I reported 197 men as mustered between June 10 and that date. Adding this number, the total additional to include September 22, and for which the State should be credited, is 611.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

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* See explanatory footnote (*) p. 829.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
SOUTHERN DIVISION OF NEW YORK,
New York, September 23, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I have the honor to acknowledge the receipt of your communication of 18th instant ordering the draft in the Tenth District. I immediately communicated the fact to Captain Leonard, provost-marshal, and directed him to commence the draft in his district on Wednesday, 23d instant. I advised His Excellency Governor Seymour of the fact both by telegraph and mail and received his answer thereto.

General Canby has made all necessary provision for the protection of the officers and public property by promptly forwarding troops from under his command to the headquarters of Captain Leonard at Tarrytown.

I am, colonel, very respectfully, your obedient servant,
ROBERT NUGENT,
Col. 69th N. Y. Vols. and Actg. Asst. Prov. Mar. Gen.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 23, 1863.

GOVERNOR OF OHIO,
Columbus, Ohio:

SIR: I have the honor to acknowledge the receipt of your letter of the 18th instant, embracing a plan for securing recruits for the regiments from Ohio now in the field. In reply I have respectfully to inform you that the commanding generals of departments and armies have been instructed to honor your call for officers and men to be sent to the State for recruiting duty, the number thus called for from each regiment not to exceed the number of vacancies among the commissioned officers therein. The parties selected or called for must be those who, by their abilities, good conduct, and devotion to duty, have shown their fitness for promotion. As far as practicable selections will be made from parties now in the State after drafted men. You are authorized by the Secretary of War to issue to the persons thus selected recruiting commissions, specifying therein the rank and regiment in which commissioned, the rank to correspond to that of the vacancies in the regiment. These officers will be mustered into service by the mustering officer of the State. Any officer thus commissioned and mustered shall only be entitled to be paid on the muster and pay roll of his company, and should he fail within a reasonable time to secure the number of men designated by you his appointment will be revoked, without pay under it, and he returned to his original position in his regiment and company.

The State mustering officer will report promptly to the Adjutant-General of the Army the names of all recruiting officers mustered into service by them under conditional commissions, together with the regiments into which mustered. The presentation of the conditional commissions will be authority for the mustering officer to make the muster. Recruits enlisted will be allowed a bounty of $402 for veterans and $302 for raw recruits, these amounts to be paid under the regulations of the department. Except as herein set forth, the

recruitment will be carried on under the existing regulations governing the recruiting service.

I have the honor, &c.,

J. B. FRY,
Provost-Marshal-General.

NASHVILLE, TENN., *September 23, 1863.*

His Excellency A. LINCOLN:

If we were authorized to offer $300 in addition to the present bounty to loyal masters consenting to their slaves entering the service of the United States, it would be an entering wedge to emancipation, and for the time paralyze much opposition to recruiting slaves in Tennessee, the slave to receive all other pay and his freedom at the expiration of term of service. If a white man pays his $300 for his substitute, he need not care whether he is white or black. This would relieve the loyal owners and punish the rebels and traitors, for as to his slaves we should ask no questions nor make any promises.

ANDREW JOHNSON,
Military Governor.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

Whereas, in my proclamation of the 27th of April, 1861, the ports of the States of Virginia and North Carolina were, for reasons therein set forth, placed under blockade; and whereas, the port of Alexandria, Va., has since been blockaded, but as the blockade of said port may now be safely relaxed with advantage to the interest of commerce:

Now, therefore, be it known that I, Abraham Lincoln, President of the United States, pursuant to the authority in me vested by the fifth section of the act of Congress approved on the 13th of July, 1861, entitled "An act further to provide for the collection of the duties on imports, and for other purposes," do hereby declare that the blockade of the said port of Alexandria shall so far cease and determine, from and after this date, that commercial intercourse with said port, except as to persons, things, and information contraband of war, may from this date be carried on, subject to the laws of the United States, and to the limitations and in pursuance of the regulations which are prescribed by the Secretary of the Treasury in his order which is appended to my proclamation of the 12th of May, 1862.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this 24th day of September, in the year of our Lord 1863 and of the Independence of the United States the eighty-eighth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., September 25, 1863.

His Excellency RICHARD YATES,
Governor of Illinois, Springfield, Ill.:

SIR: I am instructed by the Secretary of War to inform you that you are hereby authorized to raise one regiment of infantry to be composed of colored men, to be mustered into the U. S. service for three years or during the war.

To these troops no bounties will be paid. They will receive $10 per month and one ration per day, $3 of which monthly pay may be in clothing.

The organization of the regiment must conform in all respects with the requirements of General Orders, No. 110, War Department, 1863, a copy of which is herewith.*

The respective companies of the regiment may be mustered into service in each case as soon as the minimum number of enlisted men is obtained.

The prescribed number of commissioned officers will be appointed in accordance with the provisions of General Orders, Nos. 143 and 144, War Department, current series, copies of which please find inclosed.† The appointments will be made to keep pace with the muster into service of the several companies, thus: On information being received from you that the first company has been mustered into service, the necessary appointments for that company will be made. When four companies are mustered in, the lieutenant-colonel of the regiment will be appointed, and so on, in accordance with the Revised Mustering Regulations.

To facilitate the appointment of the officers, it is respectfully suggested that it would be well to forward to the Adjutant-General of the Army, as early as practicable, the names of such persons as you wish to have examined for appointment, and permission will be immediately given them to appear before the examining board now in session in Cincinnati, Saint Louis, or the board in session in Washington, if more convenient for the parties.

In cases where persons in the service are recommended, the full name, rank, company, and regiment should be given.

The necessary supplies will be furnished by the respective departments, upon requisitions approved by you.

I have the honor to be, very respectfully, your obedient servant,
C. W. FOSTER,
Assistant Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 25, 1863.

His Excellency AUSTIN BLAIR,
Governor of Michigan, Detroit, Mich.:

SIR: Orders have this day been sent to the boards of enrollment in the six districts of the State of Michigan, directing that a draft be made on those districts, respectively, for 1,235, 1,198, 1,076, 892, 1,022, and 1,105 men of the first class. The records from which calculations were made, as well as the calculations themselves, in determining the

* See p. 175. † See pp. 215, 216.

quota are on file in this office. They are impartial and claimed to be entirely correct, but if an error should be discovered or pointed out in them it will be duly corrected.

I beg that you will do all in your power to enable the officers acting under me to complete the draft promptly, fairly, and successfully.

The acting assistant provost-marshal-general for your State, Lieut. Col. B. H. Hill, U. S. Army, through whom the orders for draft are sent, will give you any further particulars you may desire.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

(Similar letter sent October 8 to Governor Bradford with respect to draft to be made on the First, Second, and Third Districts of the State of Maryland for 2,787, 2,298, and 2,933 men of the first class, and stating that Major Jeffries would give any further particulars.)

COLUMBUS, OHIO, *September 25, 1863.*

Col. JAMES B. FRY:

I am glad to know that the Department approves of my plan of filling up the old regiments. I have now to recommend that the several deputy provost-marshals of the State be also authorized to recruit for the old regiments. They are now comparatively idle and will make good recruiting officers. They should be authorized to furnish transportation to the recruits to this place, with direction to report to Captain Otis, superintendent of recruiting service, for muster and pay. The recruit should be permitted to select the regiment he wishes to join.

DAVID TOD,
Governor.

STATE OF OHIO, EXECUTIVE DEPARTMENT,
Columbus, September 25, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

DEAR SIR: Since dispatching you this morning in relation to using the deputy provost-marshals of the State as recruiting agents for regiments in the field I have seen your form of circular to them bearing on this subject. This circular to a great extent anticipates me in the matter. I do not, however, like the feature allowing a premium to the person presenting the recruit; it will in my opinion tend rather to retard the work than promote it.

Authority simply to the deputy to enlist men and forward them to the rendezvous at this place, to be here mustered in by the superintendent of the recruiting service, is all that is required.

A faithful, vigorous effort on the part of your several deputies, added to the exertions of the recruiting officers who may be sent home from the several regiments in the field, will, I doubt not, prove sufficient to secure for the Government all the troops it may require from this State.

Very respectfully, yours,

DAVID TOD,
Governor.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
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New York, September 23, 1863.

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General Canby has made all necessary provision for the protection of the officers and public property by promptly forwarding troops from under his command to the headquarters of Captain Leonard at Tarrytown.

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In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this 24th day of September, in the year of our Lord 1863 and of the Independence of the United States the eighty-eighth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

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Washington, D. C., September 25, 1863.

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Washington, D. C., September 25, 1863.

His Excellency AUSTIN BLAIR,
Governor of Michigan, Detroit, Mich.:

SIR: Orders have this day been sent to the boards of enrollment in the six districts of the State of Michigan, directing that a draft be made on those districts, respectively, for 1,235, 1,198, 1,076, 892, 1,022, and 1,105 men of the first class. The records from which calculations were made, as well as the calculations themselves, in determining the

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quota are on file in this office. They are impartial and claimed to be entirely correct, but if an error should be discovered or pointed out in them it will be duly corrected.

I beg that you will do all in your power to enable the officers acting under me to complete the draft promptly, fairly, and successfully.

The acting assistant provost-marshal-general for your State, Lieut. Col. B. H. Hill, U. S. Army, through whom the orders for draft are sent, will give you any further particulars you may desire.

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(Similar letter sent October 8 to Governor Bradford with respect to draft to be made on the First, Second, and Third Districts of the State of Maryland for 2,787, 2,298, and 2,933 men of the first class, and stating that Major Jeffries would give any further particulars.)

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DAVID TOD,
Governor.

STATE OF OHIO, EXECUTIVE DEPARTMENT,
Columbus, September 25, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

DEAR SIR: Since dispatching you this morning in relation to using the deputy provost-marshals of the State as recruiting agents for regiments in the field I have seen your form of circular to them bearing on this subject. This circular to a great extent anticipates me in the matter. I do not, however, like the feature allowing a premium to the person presenting the recruit; it will in my opinion tend rather to retard the work than promote it.

Authority simply to the deputy to enlist men and forward them to the rendezvous at this place, to be here mustered in by the superintendent of the recruiting service, is all that is required.

A faithful, vigorous effort on the part of your several deputies, added to the exertions of the recruiting officers who may be sent home from the several regiments in the field, will, I doubt not, prove sufficient to secure for the Government all the troops it may require from this State.

Very respectfully, yours,

DAVID TOD,
Governor.

HDQRS. COMR. FOR ORGANIZATION U. S. COLORED TROOPS,
Nashville, September 25, 1863.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.:

SIR: I have at last obtained Governor Johnson's consent to the advertisement inclosed, and have commenced recruiting with good prospects of success.

The impressment of colored men which is going on daily in an irresponsible way will help me as soon as I establish a camp and show them they are safe inside of it; they won't be likely to desert.

The colored men here are treated like brutes; any officer who wants them, I am told, impresses on his own authority, and it is seldom they are paid. On Sunday a large number were impressed and one was shot; he died on Wednesday. I inclose the copy of a statement made to me by one of them from Zenia, Ohio, taken down verbatim by my clerk. Governor Johnson disapproves of the impressment, so he told me, yet it goes on daily.

General Meigs, Quartermaster-General, passed here yesterday on his way to the front. If you will order him on his return to investigate the impressment of men, for various purposes, I think you will get some light on the subject.

Respectfully,

GEORGE L. STEARNS,
Major and Assistant Adjutant-General, U. S. Volunteers,
Commissioner for Organization U. S. Colored Troops.

[Inclosure No. 1.]

HDQRS. COMR. FOR ORGANIZATION U. S. COLORED TROOPS,
Nashville, Tenn.

Colored men in the Department of the Cumberland will be enlisted into the service of the United States as soldiers on the following terms:

First. All freemen who will volunteer.

Second. All slaves of rebel or disloyal masters who will volunteer to enlist will be free at the expiration of their term of service.

Third. All slaves of loyal citizens, with the consent of their owners, will be received into the service of the United States; such slaves will be free on the expiration of their term of service.

Fourth. Loyal masters will receive a certificate of the enlistment of their slaves, which will entitle them to payment of a sum not exceeding the bounty now provided by law for the enlistment of white recruits.

Fifth. Colored soldiers will receive clothing, rations, and $10 per month pay; $3 per month will be deducted for clothing.

Recruiting stations are established at Nashville, Gallatin, and Murfreesborough. Other stations will be advertised when established.

GEORGE L. STEARNS,
Major and Assistant Adjutant-General, U. S. Volunteers,
Commissioner for Organization U. S. Colored Troops.

[Inclosure No. 2.]

Statement of Armstead Lewis, of Zenia, Ohio.

I went to the colored Methodist church at 11 o'clock a. m. on Sunday, September 20, 1863. After church, while on my way home, was

stopped by a guard, who demanded my pass. I handed it to them; they retained possession of it. They ordered me to fall in among them and I was marched around from place to place till they collected all they could get. We were then marched to a camp about one mile and a half and delivered to some colored men, who were placed on guard over us. They counted us and found they had 180 men. All through the afternoon and evening they kept bringing in squads. They took the passes of the men and after examining them burned them before us.

At dark they put a double guard around us, and told us if we attempted to escape we would be shot down. We were left that way, out in the cold all night, without tents, blankets, or fire, and some of the men were bareheaded and some without coats.

his
ARMSTEAD x LEWIS.
mark.

Witness:
JNO. H. COCHRANE,
Military Secretary.

HEADQUARTERS DEPARTMENT OF THE TENNESSEE,
Vicksburg, Miss., September 26, 1863.

Hon. S. P. CHASE,
Washington, D. C.:

Mr. Mellen, supervising agent of the Treasury Department for the West, was here a few days since, and upon consultation we agreed upon the following plan for opening trade within this department south of Helena:

No purchaser of cotton is to be allowed within the district named. Owners of cotton within said district favorable to the Government are to be allowed to bring their cotton in to any military post or station; and on a permit from the commanding officer or provost-marshal of the post, to ship it to Memphis or New Orleans for sale for their benefit.

To supply the necessaries of life, both provisions and clothing, to persons within our lines and deserving persons without, on proper permits, I authorized Mr. Mellen to appoint two loyal citizens for this place, two for Natchez and one for Goodrich's Landing, to keep for sale such articles as were authorized to be sold.

I am now satisfied that these regulations, approved by myself, will, if carried out, lead to a world of trouble and discontent. I believe the only remedy is in total prohibition or free trade in articles not contraband of war. If the latter policy is adopted I will make stringent regulations to prevent improper persons from being benefited by it, and enforce such regulations with great severity upon merchants who are caught violating such regulations. By free trade I do not intend to say that persons should be allowed to come into this department indiscriminately with their wares and set up at any point they please. Trade should be confined to military posts or stations. All goods brought should have a Treasury permit, obtained at the place the goods were bought, and required that they be taken to a specified place for sale. Purchasers of cotton or other Southern product I would also like to be required to obtain Treasury authority to do so.

Hereafter I will raise no objections to any regulation made by the Treasury Department, but will enforce the regulations made to the

best of my ability. To establish business within the district named, the only inquiry hereafter will be, Has Treasury authority been obtained? Should I find that any system adopted works badly, I will write you freely on the subject or inform you through the supervising agent, pointing out such defects, and make suggestions, if I have any to make, for their correction.

I am thoroughly satisfied that no perfect system can be devised. There is too much corruption in the country for it. Our country, I believe, is not peculiar in this respect. The same spirit has been shown in all countries, in all ages, during time of war.

U. S. GRANT,
Major-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 26, 1863.

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: I do not permit provost-marshals to make arrests for disloyalty, but they give me information on the subject. There is an exceedingly disloyal and pernicious feeling among many men in Illinois, and the fact that there is no draft there at present seems to have disappointed them and led them to more open, because groundless, opposition to the Government.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 89. WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, D. C., September 27, 1863.

The following rules for the refunding of commutation money and repayment, in whole or in part, of amounts paid for substitutes will govern in the settlement of outstanding claims of this nature of drafted men who, having been held to service under paragraphs 4 and 5 of Circular No. 44, have been or may be subsequently exempted under the provisions of Circulars 51 and 83 from this office:

I. In the cases of men who were drafted and paid the $300 commutation without being examined, but who on subsequent examination have been or may be found exempt, and claim to be refunded the amount paid.

The Board shall carefully examine each case of this kind, make a full report upon it, and give an opinion with regard to it. They shall then forward this report and opinion, with all the papers in the case, to the Provost-Marshal-General for final orders as to refunding the money.

II. In the cases of men who were represented by substitutes in the U. S. service on the 3d of March, 1863, but who, being drafted under the present draft, paid commutation money, and now claim to be reimbursed for the amount paid.

The Board shall carefully examine each case of this kind, make a full report upon it, and give an opinion with regard to it. They shall then forward this report and opinion, with all the papers in the case, to the Provost-Marshal-General for final orders as to refunding the money.

III. In cases of men who, under the circumstances set forth for the two preceding rules, furnished substitutes in lieu of paying commutation money.

The Board shall carefully examine each case of this kind, make a full report upon it, and give an opinion with regard to it. They shall then forward this report and opinion, with all the papers in the case, to the Provost-Marshal-General. The Board shall require an affidavit of the principal as to the amount paid the substitute furnished by him, the time when it was paid, whether to or through a broker or agent, and if so, the name of such broker or agent. He shall also be required to present the receipt taken for such amount, or, if he claims to have no receipt, to make affidavit to that effect.

No refunding of commutation money or payment for substitutes furnished shall be made until the original exemption papers granted the principal shall have been destroyed by the provost-marshal. The provost-marshal's certificate of such fact shall in all cases be required by the receiver of commutation money or other disbursing officer before refunding the money paid on either account.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, September 27, 1863.

GOVERNOR OF OHIO,
Columbus, Ohio:

Your telegram in reference to authorizing enlistments of men for unexpired term of old regiments has been submitted to Secretary of War and been fully considered. It is deemed for the public interest that all efforts should be to enlist men for three years or during the war.

JAMES B. FRY,
Provost-Marshal-General.

GENERAL ORDERS, No. 323. WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, September 28, 1863.

In section 10, act of March 3, 1863, it is enacted "That the President of the United States be, and he is hereby, authorized to cause to be enlisted for each cook (two allowed by section 9) two undercooks of African descent, who shall receive for their full compensation $10 per month and one ration per day; $3 of said monthly pay may be in clothing."

For a regular company, the two undercooks will be enlisted; for a volunteer company, they will be mustered into service, as in the cases of other soldiers. In each case a remark will be made on their enlistment papers showing that they are undercooks of African descent. Their names will be borne on the company muster-rolls at the foot of the list of privates. They will be paid, and their accounts will be kept, like other enlisted men. They will also be discharged in the same manner as other soldiers.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 324. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, September 28, 1863.*

I. The time for enlisting veteran volunteers under the provisions of General Orders, No. 191, current series, from this office, is hereby extended to December 1, 1863. This extention will not be considered as securing rank and pay to officers after August 25, the limit fixed in paragraph VI of the said order.

II. Under paragraph III of the aforesaid order the first installment of bounty (section 1) is hereby increased to $60, thus making the "total payment on muster" $75; and the "remainder of the bounty" (section 8), at the expiration of three years' service, is reduced to $40.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR No. 90. } WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, September 28, 1863.*

Immediately upon the completion of the draft in any district the surgeon of the Board of Enrollment therein will compile and forward to this office the statistics of the causes of exemption on account of physical disability from such draft in his district. This report will show the whole number of men drafted in the district, with an alphabetical list of the several kinds of disability and the number rejected for each, and will be accompanied by a detailed statement of such other facts as may be of scientific importance to the medical profession of the Army.

JAMES B. FRY,
Provost-Marshal-General.

NOTRE DAME, IND., *September 28, 1863.*

His Excellency ABRAHAM LINCOLN,
President of the United States:

SIR: The order of the Holy Cross, consisting of priests, brothers, and sisters, and whose principal house in the United States is situated at Notre Dame, State of Indiana, humbly appeals to your justice and goodness for a kind hearing.

We most respectfully venture to ask of Your Excellency the privilege of being exempted from the military service, or rather from bearing arms. Not, indeed, because we are opposed to the measures which our rightful Government thinks proper to adopt and enact for the vigorous prosecution of the war—for that is, we sincerely believe, the speediest way to effectually crush down rebellion and restore peace to the nation—but on account of our true devotion to the Union and the constant support we have willingly and cheerfully given to the Government in sending with our armies six priests as chaplains (one died in a hospital a victim of his devotion to his country's cause, and three others went at the expense of the order), and in our army and navy hospitals nearly forty sisters as nurses. To serve as chaplains or nurses we always willingly do, as it is in conformity with our vocation; but to bear arms even in a war we deem right and just is very repugnant to our religious and sacred calling; nay more, priests or clerics cannot shed blood without incurring *ipso facto* the censures of the church.

It is true that we may be dispensed from bearing arms in procuring substitutes, but we respectfully represent to Your Excellency that individuals in religious orders do not possess anything, and our house cannot possibly procure substitutes for all the priests, clerics, and brothers that will soon be drafted without exposing our establishments in the United States to inevitable ruin.

In consideration of these facts, we are fully confident that Your Excellency will grant our petition, and in so doing acquire our lively and eternal gratitude.

With great respect, we are, most respectfully, sir, your humble and obedient servants.

E. SORIN,
C. S. C. Prov.
J. C. CARRIER,
C. S. C. Assistant Superintendent.
A. GRANGER.

[First indorsement.]

I concur, but do not commit myself as to the legal questions involved.

W. T. SHERMAN,
Major-General, Commanding Fifteenth Army Corps.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF THE TENNESSEE,
Vicksburg, Miss., September 28, 1863.

I would respectfully represent that the order herein applying for exemption have contributed largely of their services to the support of the war, and if any class is to be exempt from the present or any future draft, they have fully entitled themselves to such benefit. Respectfully referred for the consideration of the President, hoping that, if not inconsistent with law or the policy of the Government, that the favor asked will be granted.

U. S. GRANT,
Major-General.

WASHINGTON, D. C., *September 28, 1863.*

Governor MORTON,
Indianapolis, Ind.:

The mode of distributing bounty has been amended so as to make the first payment of advance pay, premium, and bounty amount to $75 instead of $40, the last payment of bounty being $40 instead of $75. The intermediate bounties remain unchanged. Please let me know if you receive and understand this.

JAMES B. FRY,
Provost-Marshal-General.

COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE DEPT.,
Boston, September 28, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I have received your letters of the 21st and 23d instant, inclosing printed copies of instructions addressed to provost-marshals

in the Congressional districts of this State with regard to bounties, &c., for volunteers for old regiments; and while the system so proposed is advantageous in many respects, yet it so discriminates in other respects against regiments which are now in formation here that I feel obliged to present certain points to your attention.

In a communication received from you at the beginning of July, dated June 29, I was authorized to raise four regiments of veteran volunteer infantry and three batteries of veteran volunteer artillery. A regiment of heavy artillery, which I had commenced to recruit at Major-General Foster's request, and with authority from the War Department, was shortly afterward admitted, by authority of the Department, to the privileges of a veteran volunteer organization. A few weeks subsequently I was authorized to recruit a battalion of veteran volunteer cavalry; and at about the same time the Third Battalion of the First Massachusetts Cavalry, which had long been stationed in South Carolina, while the two other battalions were in Virginia, was permanently detached from the regiment, and I was authorized to recruit a new battalion to be added to the First Massachusetts Cavalry in its place. Thus, I am now engaged in raising and organizing four regiments of infantry, one regiment of heavy artillery, three batteries of light artillery, and two battalions of four companies each of cavalry.

Your order of September 21 to the provost-marshals concerning bounties, &c., for recruiting, leaves these organizations altogether out of consideration, and will, I fear, unless modified so as to embrace them, defer their completion indefinitely—first, by reason of diverting from them all recruits who are not veteran volunteers, offering to them $302 bounty to enter old regiments, while under existing orders they are offered by the United States only $100 bounty to enter these organizations in question; and, second, by reason of diverting from them veteran volunteers by means of the $25 premium which you authorize to be paid to any agent who presents a veteran volunteer recruit for an old regiment, while no such premium is offered for presenting a similar recruit for any of these organizations. In the same manner you offer in the one case, but not in the other, a premium of $15 for any agent who presents a recruit who is not a veteran volunteer. The result of this order, unless it shall be modified, will be, as above suggested, to retard indefinitely the completion of these new organizations and to leave them in their present fragmentary state. This seems to me to be eminently undesirable and disastrous to future recruiting in this State. The Department having authorized the formation of these new corps—and that not at my request in the case of most of them, but of its own option—ought not now to leave them on my hands with from 100 to 800 men recruited for each of them, and no prospect of filling them up, owing to such a discrimination in premiums and bounties in favor of the recruiting for old regiments.

In your letter to me of the 21st instant you ask my aid in forwarding the recruiting for old regiments. I will gladly give it. I have at my disposal a State bounty of $50 per man, which I shall be happy to add to that which you offer. I will make no discrimination between those to whom this bounty is offered, but with the understanding that in like manner you will widen your instructions to the provost-marshals of the 21st instant so as to remove the discriminations which those instructions impose, and so as to offer the same bounties and premiums in respect to these new corps as in respect to

the old ones. Otherwise, it is impossible for me to exaggerate the confusion, complaint, and trouble which will arise from having these new corps brought to a stand-still in their present uncompleted state. In the case of one of them, the Second Massachusetts Heavy Artillery, some 600 men have already been forwarded to North Carolina. The rosters of officers for all of them have been framed and most of these officers are engaged in the recruiting. But I need not particularize the difficulties which this stand-still will make. They will occur to you without suggestion. If it is to be henceforth the policy of the War Department to turn the whole stream of recruits into old regiments and to authorize no more new organizations, I have at present no opposition to make to such a policy any further than to remonstrate, as I now do, against at the same time paralyzing the new organizations which it has already authorized, and leaving me with a dozen fragments of corps on my hands which I had been induced to commence to raise at the request of the Department itself. I do not undervalue the importance of recruits for old regiments. The whole record of the recruiting in this State will show the special exertions which have been made in that respect so far as I have had power in the premises; but I assure you that in the present condition of these new corps it is of even greater importance that they should not be left uncompleted by a discrimination in bounties, &c., against them, and have the fragments of them dispersed or consolidated to the dissatisfaction of all persons who are in any way connected with their progress.

Since writing the above I have seen published in the newspapers a letter purporting to have been addressed by you to the Governor of Ohio on September 15, in which you authorize the payment of $302 bounty to recruits not veteran volunteers who enter his new regiments.

I have the honor to be, obediently and respectfully,

JOHN A. ANDREW,
Governor of Massachusetts.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Saint Louis, September 29, 1863.

Col. E. D. TOWNSEND,
Assistant Adjutant-General, Washington, D. C.:

COLONEL: I inclose herewith a copy of a letter received on the 26th instant from Brigadier-General Thomas, Adjutant-General, asking me to afford facilities for raising another colored regiment in Missouri, and my reply. I have thought it advisable to transmit these to the Honorable Secretary of War with a few additional remarks for his consideration and such instructions as he may be pleased to give.

In July last General Thomas, at my request, gave Colonel Pile authority to raise colored troops in Missouri subject to the approval of the Governor of the State. The Governor gave his consent with the condition that the laws of Missouri should not be violated—a very difficult condition to comply with.

It was, however, observed as far as practicable, and a regiment was soon raised, mustered in, and sent to Helena. Colonel Pile then obtained permission to raise another regiment to rendezvous at Keokuk, Iowa. Recruiting officers were appointed, by whom I know not, and sent into Missouri, bearing copies of the authority I had given to those engaged in raising the regiment in Saint Louis, together with a

similar one from General Thomas. These recruiting officers went through the northern part of Missouri with armed parties of negroes, enlisting all who would go with them without regard to the loyalty of their masters, and in some instances, I am informed, forcing them away. Of course this could not fail to produce intense excitement, and I was compelled to put a stop to it.

General Ewing has authority, given by the Secretary of War at my request, to raise one regiment in his district. He has been able to make but little progress so far, but I have no doubt will raise the regiment in time.

The first regiment raised absorbed all the negroes fit for military duty who had been collected at the various posts in Missouri, and which included nearly all those at that time remaining in the State who were unquestionably entitled to their freedom under the confiscation act.

Nearly all those now remaining in the State belong either to loyal men or to men who cannot be proven to have committed any act of disloyalty since the 17th of July, 1862. If it be admitted that a man who was to any extent disloyal before that time may be a loyal man now, it is impossible to decide without judicial proceedings whether the act of July 17 applies or not in a large majority of cases that arise. Moreover, under the confused notions as to what constitutes loyalty which now exist, the officers engaged in recruiting are about as likely to decide one man to be disloyal as another.

I believe the able-bodied negroes in Missouri will be worth more to the Government as soldiers than they are to their masters as laborers, and that this is the general opinion among slave owners in the State. Moreover, I believe it would be a great benefit to the State as well as to the negro to have him transformed from a slave into a soldier.

I respectfully suggest that it might be wise policy to enlist all able-bodied negroes in Missouri who may be willing to enter the service, giving to their masters receipts upon which those who established their loyalty may base a claim upon the Government for the value of the services lost. Those masters whose loyalty is undoubted might perhaps be paid immediately out of the substitute fund, and the doubtful cases left for future settlement.

If the Government decides to adopt such policy, I shall be glad to carry it out.

Very respectfully, your obedient servant,

J. M. SCHOFIELD,
Major-General.

[Inclosure No. 1.]

MEMPHIS, TENN., *September 21, 1863.*

Maj. Gen. J. M. SCHOFIELD,
Commanding Department of the Missouri:

GENERAL: It is very desirable that another regiment of African descent should be organized with as little delay as possible in the State of Missouri. I have therefore to request that you will give such facilities to recruiting officers in your department as will hasten this object, and that you will instruct the officers of your respective staff departments to furnish without delay all supplies that may be called for on proper requisitions.

I am, general, very respectfully, your obedient servant,

L. THOMAS,
Adjutant-General.

[Inclosure No. 2.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Saint Louis, Mo., September 26, 1863.

Brig. Gen. L. THOMAS,
Adjutant-General U. S. Army, Memphis, Tenn.:

GENERAL: I have received your letter of the 21st instant requesting me to give facilities to recruiting officers for colored regiments in Missouri, &c.

I am still desirous, as I always have been, to do all in my power to promote this object, but I have recently met with difficulties and embarrassments which have rendered it necessary for me to stop recruiting for colored regiments in Missouri. The men who are clearly proper subjects for enlistments, as I understand the orders of the War Department, have nearly all left Missouri in one way or another. There are, doubtless, some left who are entitled to their freedom under the confiscation act, but much the larger number belong to men who have always been loyal, or who cannot be convicted of any disloyal act since the date of the confiscation act. I have heretofore taken it for granted that it was the desire of the War Department to enlist only such colored men as are legally entitled to their freedom, and it is now practically impossible for me or any other military officer to decide the nice legal questions involved in almost all cases which arise.

Moreover, it is found by experience that the recruiting officers do not even attempt to make any discrimination between the slaves of loyal and those of disloyal men, but go through the country picking up all they can induce to go with them, and in some cases forcing them away.

The President has, I believe, the legal authority to receive negroes into the service without regard to the loyalty of their masters. If it is his wish to exercise this authority in Missouri, I will cheerfully carry out your instructions on the subject.

Practically, it must be done without regard to the claims of loyal men, and if this policy is to be adopted it should be so declared, in order that the people may understand that it is the act of the Government.

The execution of this policy at the present time would occasion much hardship to the loyal farmers, on account of the consequent loss of their tobacco and other crops. Yet they will submit to it without much complaint if the Government wants their slaves as troops. Two or three months hence it can be done without much injury to the State.

Please inform me of the wishes of the Government in regard to this matter and I will carry them out without delay.

I am, general, very respectfully, your obedient servant,
J. M. SCHOFIELD,
Major-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., September 29, 1863—1.50 p. m.

Governor TOD,
Columbus, Ohio:

I telegraphed Colonel Parrott to call on you and get a project of the orders you desire given to provost-marshals in reference to enlisting

men for old regiments under your plan. Major Bierce writes me a letter, which does not at all elucidate the subject, saying simply that you want the provost-marshals to have orders to recruit. That is a matter of course, but I want to know exactly what instructions you wish given them.

I send by mail the plan which I am putting in force in other States, but as your plan differs, in offering promotion instead of money as a premium, I wish to co-operate with you. I will start my plan in addition to yours, or not, as you think best.

JAMES B. FRY,
Provost-Marshal-General.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,
Madison, September 29, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

DEAR SIR: I find statements in the public print which, seeming to have foundation in facts occurring, lead me to address your Bureau once more. Thus in the Washington correspondence of the New York Times, dated 22d instant, I find this statement relative to Ohio: "The State is deficient 8,000 men only, which number will be readily made up by volunteer enlistments under the ample bounties that the Provost-Marshal-General is able to offer," and "it may be finally settled that there will be no draft in Ohio." Also in another paper of large circulation (German) I find the same statement, with the addition that these bounties are defined as $302 for raw recruits and $402 for veterans. I am well aware, sir, that these newspaper statements are to be received with great caution, yet, because those referred to have been now for several days uncontradicted, and for the reason that the draft is still suspended in Ohio, I feel justified in asking an explanation on the subject. Every paragraph upon the subject of the draft is greedily seized upon by that class of people who are disposed to find fault with Government, and the worst possible use made of it to produce discontent; and already the question is asked, "If Ohio is to be allowed to fill her quota by volunteering, why not Wisconsin?" and "if the Provost-Marshal-General has bounties to offer in Ohio, why not in Wisconsin?" I should be held as derelict from duty as Executive of the State if I did not endeavor to obtain for Wisconsin every right and privilege which is granted to other States. If such a system of volunteering and bounties is granted in Ohio I need not, I trust, urge further that the like privilege be granted to this State, and that I may be informed thereof without delay.

I have endeavored heretofore to make it clear that I am and have been in favor of the conscription law as the fairest method of calling out the national forces; but equity between the States requires that it be carried into operation under similar rules everywhere, and the law itself contemplates that just credit shall be given to each of the States for volunteers hitherto sent. The rules adopted by your Bureau, as I have, on several occasions, endeavored to show, do not, I respectfully suggest, secure that equity and fairness which is quite practicable, and I have hoped that those rules might be modified to some extent. Under date of September 21, instant, I have again referred to this subject and await your reply with interest. My letter of the 5th instant remains unanswered as to the question of credits to towns, yours of the 11th, by Captain Maynadier, making no allusion

to that question whatever. As I have stated in my last letter, it seems to me quite practicable to place the credits in this State, with reasonable correctness, in the towns where they belong; and if such a system of bounties as the newspaper paragraphs above referred to is initiated in this State, I have very little doubt that the quota of Wisconsin can be filled by volunteers drawn to a great extent from the towns which are deficient.

But if no such system is authorized, then I earnestly urge that all possible means may be taken to do justice to the localities in our State which have already drained themselves of their active and laboring population on the previous calls.

I remain, sir, yours, respectfully,

EDWARD SALOMON,
Governor of Wisconsin.

CIRCULAR } WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
No. 91. } *Washington, September 30, 1863.*

I. The decisions of boards of enrollment, on claims for exemption from military duty under the draft, being final, the boards will not reopen or re-examine claims upon which they have once rendered judgment. A thorough examination should be made into every doubtful case before rendering a decision, and, if necessary, the decision should be deferred for such reasonable length of time as may be required to obtain the evidence essential to a proper understanding of the case.

II. An exemption or discharge from the draft procured by fraud is invalid, and does not relieve the person perpetrating the fraud from his obligation to perform military duty under the draft, or from liability to be punished as a deserter for failing to report for duty as required by the law.

When a board of enrollment or a provost-marshal shall have reason to believe that a fraud has been practiced upon the Board in procuring an exemption or discharge, or in furnishing a substitute, they will immediately report the facts in the case, and the reasons for their belief, to the Provost-Marshal-General for such further action as may be deemed advisable.

JAMES B. FRY,
Provost-Marshal-General.

OFFICE MILITARY DIRECTOR AND SUPERINTENDENT
RAILROADS OF THE UNITED STATES,
Washington, September 30, 1863.

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: I have the honor to submit the following report of the U. S. Military Railroad Department:

It comprises a brief account of operations since my connection with it. Tabular statements of rolling-stock and material purchased, used, and remaining on hand; cost of the same; detailed statements of all expenditures since the organization of the department under Capt. R. F. Morley, and tables exhibiting in detail the expenses of the fiscal year ending June 30, 1863.

The following railroads have been operated as military lines in charge of employés of this department: Washington and Alexandria;

Alexandria, Loudoun and Hampshire; Orange and Alexandria; Manassas Gap; Warrenton Branch; Richmond and York River; Richmond, Fredericksburg and Potomac; Norfolk and Petersburg; Seaboard and Roanoke; also for a limited time the Western Maryland Railroad in Maryland, and the Hanover Branch and Gettysburg Railroads in Pennsylvania.

Extensive reconstruction and repairs were made upon the Northern Central, Cumberland Valley, and Franklin Railroads in Pennsylvania.

The Washington and Alexandria Railroad has been in daily use since February, 1862, as the main connection between the railroads north and south of Washington. Long Bridge across Potomac River is used as a part of it, and kept in repair also for other purposes by the military railroads.

The Alexandria, Loudoun and Hampshire Railroad has been employed to some extent in transporting supplies for the fortifications south of Washington and the various camps along its line.

The Orange and Alexandria Railroad was opened from Alexandria to Manassas in March, 1862, and to Warrenton Junction in April. In July the Warrenton Branch Railroad was opened to the town of Warrenton. Early in August several miles of track south of Warrenton Junction, which had been destroyed by the rebels, was relaid, many bridges rebuilt, and the road opened for transportation to Culpeper. The road was put in order and construction trains run to the Rapidan River.

On the retreat of General Pope late in August and the first days of September the road was abandoned with immense loss of locomotives, cars, and materials.

In November, 1862, it was reopened to Bealeton and Warrenton for a few days to supply the Army of the Potomac on its way from Antietam to Fredericksburg. It was once more reopened to Bealeton in April, 1863, but shortly afterward was abandoned beyond Bull Run, and in June the portion outside the defenses of Washington was evacuated and so remained until the return of General Meade's army from its Pennsylvania campaign. It now forms the communication between the Army of the Potomac and its base.

The Manassas Gap Railroad was operated to Front Royal in May and June, 1862, and for a short time to Strasburg.

In November trains were run to Front Royal for a few days, after which this road was not used until the march of General Meade's army from Gettysburg to the Rappahannock, when a few trains of supplies were sent to White Plains.

The Richmond and York River Railroad was reconstructed from White House to a point four miles from Richmond in April and May, 1862, and was used to supply the army before Richmond until June 28, when it was abandoned. Six locomotives, eighty cars, and a large amount of railroad material were burned or otherwise destroyed.

The Richmond, Fredericksburg and Potomac Railroad was opened to Fredericksburg in April, 1862, operated until August, then abandoned with considerable destruction of railroad material and cars. In November it was reopened to Falmouth and used until June, 1863, when it was once more abandoned and all the combustible structures, bridges, buildings, wharves &c., have since been burned by the enemy.

The Norfolk and Petersburg Railroad was occupied as a military line July 22, 1862, and the gauge changed from five feet to four feet eight and a half inches for forty-four miles.

In May, 1863, fifteen miles of the track were taken up west of Suffolk, about the same quantity on the Seaboard and Roanoke Railroad, and the material thus obtained was stored for use elsewhere.

The Western Maryland Railroad was operated from July 3 to 7, 1863, for transporting supplies to Westminster for the Army of the Potomac.

The Hanover Branch Railroad and the Gettysburg Railroad, together with the Littlestown Branch, were operated from July 9 to August 1, 1863, for the purpose of removing the wounded from Gettysburg to distant hospitals.

On the Northern Central Railroad a large number of bridges were rebuilt in July, 1863, which had been burned by the enemy during their occupation of the west bank of the Susquehanna. Some track was relaid on the Cumberland Valley Railroad that had been torn up and destroyed by the enemy, and a little work of the same kind was executed on the Franklin Railroad.

The operation of these various railroads is believed to have been eminently successful in furnishing promptly and fully all supplies for the army, and it is but justice to say that much is due to the hearty co-operation of the Quartermaster's and Commissary Departments, represented by General Rufus Ingalls, chief quartermaster of the Army of the Potomac; General D. H. Rucker, chief quartermaster, and Col. A. Beckwith, chief commissary at the depot of Washington, and to the stringent orders of Major-General Halleck, General-in-Chief, preventing interference of the military authorities with the running of trains.

Accounts in detail of the operations herein mentioned are embraced in the appended tabular statements and which show the sums expended for this department to June 30, 1863, the close of the last fiscal year, as follows:*

Exhibit A shows in detail the total expenditures for labor in this department from August 13, 1861, to June 30, 1863, amounting to $1,123,371.81.

Exhibit B shows total expenditures for material for the same period amounting to $1,083,787.43.

Exhibit C shows name, number, and value of locomotives purchased, from whence obtained, and by whom paid, amounting to ninety-five locomotives, costing $800,650.04.

Exhibit D shows number, kind, and value of cars purchased, amount paid for them, and to whom, $697,989.40.

Exhibit E shows expenses for labor in construction, maintenance, and transportation upon the military railroads during the fiscal year ending June 30, 1863, amounting to $777,628.31.

Exhibit F shows expenses for materials during fiscal year ending June 30, 1863, for military railroads in Virginia, Department of the Gulf, New Berne, N. C., and the Burnside expedition, amounting to $739,803.30.

Exhibit G shows value of materials on hand June 30, 1863, as follows:

Transportation department, Alexandria, Va	$73,410.54
Maintenance department, Alexandria, Va	89,119.02
Construction department, Alexandria, Va	85,135.82
Transportation and maintenance departments at Norfolk, Va	155,736.20
Total	403,401.58

*Exhibits omitted.

Exhibit H shows number of locomotives and cars on hand June 30, 1863, their location and condition, with statement of those captured by the enemy, worn out, lost, and destroyed.

I have the honor to be, very respectfully, your obedient servant,

D. C. McCALLUM,

Col., Military Director and Supt. Railroads of the United States.

The total expenditures from August 13, 1861, to June 30, 1863, were as follows:

For labor, as per Exhibit A	$1,128,871.81
For materials, as per Exhibit B	1,068,787.43
For locomotives, as per Exhibit C	800,650.04
For cars, as per Exhibit D	697,989.40
Total	3,705,798.68

The expenditures during the fiscal year ending June 30, 1863, were as follows:

For labor, as per Exhibit E	$777,628.31
For material, as per Exhibit F	789,803.30
For locomotives, as per Exhibit C	775,686.32
For cars, as per Exhibit D	611,389.40
Total	2,904,457.33
Value of material on hand June 30, 1863	403,401.58
Value of locomotives on hand June 30, 1863	678,150.04
Value of railroad cars on hand June 30, 1863	459,354.40
Total	1,540,906.02

(Copy to Quartermaster-General.)

COMMONWEALTH OF KENTUCKY, EXECUTIVE DEPT.,
Frankfort, September 30, 1863.

Hon. EDWIN M. STANTON,
Secretary of War, Washington City:

The Seventh Kentucky Cavalry, and some other regiments having one year and over to serve, could be filled by being permitted to take men for the remaining term of their service. My experience is that it is greatly better to fill old regiments than form new ones out of the same material. I wish authority to mount one battalion of one-year men, to be raised for duty at this place, and to be under my direction and control. With such troops as I can get up of picked men for that service, and under my own orders, I can give ample protection to the U. S. stores at this place and the public property of the State, and can use them to scout for several counties around and put down guerrillas, with which adjacent counties are infested. I can make one battalion so raised and ordered more efficient for good than any regiment now in the service. I want them as Capitol guards, and to be subject to my orders.

Respectfully,

THO. E. BRAMLETTE,
Governor of Kentucky.

[Indorsement.]

OCTOBER 6, 1863.

Not recommended.

H. W. HALLECK,
General-in-Chief.

COLUMBUS, OHIO, *September 30, 1863.*

Col. J. B. FRY,
Provost-Marshal-General:

Your dispatch of yesterday received. Colonel Parrott and self had a conference on the subject on Sunday. He sent you the result by mail. The only objection that I have to your plan in addition to mine is the bounty you offer to persons furnishing a recruit. This will do harm, rather than good, in this State.

DAVID TOD,
Governor.

EXECUTIVE MANSION,
Washington City, D. C., October 1, 1863.

Governor BRADFORD,
Baltimore, Md.:

Please be here in person at 12 m. Saturday to fix up definitely in writing the matter about which Mr. Johnson and Governor Hicks bring a communication from you.

A. LINCOLN.

WAR DEPARTMENT,
Washington City, October 1, 1863.

Mr. PRESIDENT: In answer to the communication of His Excellency A. W. Bradford, Governor of Maryland, of the 28th ultimo, referred to me, I have the honor to report:

That during the last visit of Governor Bradford to Washington he favored this Department with an interview in which the subject of his communication of the 28th of September was pretty fully discussed, and I had supposed a harmony of views arrived at.

The following propositions were understood to have received the assent of Governor Bradford: First, that free persons of color in Maryland should be enlisted; second, that slaves should be enlisted by consent of their owners; third, that if it were necessary for the purpose of the Government that slaves should be enlisted without regard to the consent of their owners, there would be no objection to a general regulation by which loyal owners of slaves could receive just compensation for the labor or service of such slaves upon filing in this Department deeds of manumission—disloyal owners not being entitled to any such compensation.

Shortly after this interview letters were received from General Andrew Johnson, Governor of Tennessee, desiring that regulations should be made for the enlistment of colored persons within that State, and after full communication with him similar terms were assented to in respect to the State of Tennessee, where it is understood enlistments are now being made upon that basis. A general order regulating the subject-matter has been delayed for the purpose of having an understanding with Governor Johnson, so that the same principles might be applicable, so far as circumstances admitted, to the States of Tennessee and Maryland, both of which stand in similar relations to the General Government in the present war. There is a necessity applicable to the States of Maryland and Tennessee requiring the enlistment of colored soldiers, free or slave, in a peculiar degree, and not applicable to other States excepted from the proclamation of emancipation. The State of Maryland is in the midst of the war in the East. White soldiers are suffering from the malarious

influences of the locality at Fortress Monroe, and require all the power of the Government to supply their places by black troops. The State of Tennessee is now the center of the war in the West, and the Government requires the use of every loyal soldier, without regard to color, or whether bond or free, in that State. In the State of Kentucky, military authority has impressed the slave population to the amount of 6,000 and upward, for the purpose of making military roads; but, there being no enemy there, it is not essential that they should be enlisted as troops in that State, as they should be employed in labor for the supply of other troops. There is, therefore, in my judgment, a military necessity in the State of Maryland and in the State of Tennessee for enlisting into the forces all persons capable of bearing arms on the Union side, without regard to color, and whether they be freemen or slaves. It is the desire of the Department, in conformity with the views which, under your direction, have heretofore governed it, to make such regulations as shall do justice to all loyal persons in any way affected by the measure.

Governor Bradford was requested to receive the claims of any persons whose slaves were enlisted in Maryland, and present them to the War Department, in order that they might be investigated, and such compensation made as the laws and rules of the service would admit. It has also been reported to the Department that recruiting officers have uniformly, without exception, given to persons claiming slaves who have been enlisted, a descriptive list, upon which they might prove their property and make their claims. If there has been any departure from this course it is without sanction, and upon being specified prompt redress will be administered.

In view of the military necessity of organizing colored troops in Maryland and Tennessee, it is proposed to issue the accompanying general order:*

I have the honor to be, very respectfully, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

[Memorandum by President Lincoln.]

To recruiting free negroes, no objection.

To recruiting slaves of disloyal owners, no objection.

To recruiting slaves of loyal owners, with their consent, no objection.

To recruiting slaves of loyal owners without consent, objection, unless the necessity is urgent.

To conducting offensively, while recruiting, and to carrying away slaves not suitable for recruits, objection.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, October 1, 1863.

Brigadier-General CANBY,
Commanding, &c., New York, N. Y.:

SIR: By direction of the Secretary of War you will proceed to Albany, N. Y., and other points herein designated, and comply with the following instructions, viz:

I. At Albany you will confer with His Excellency the Governor, explain to him the nature of the orders you are acting under, request

*See General Orders, No. 329, Adjutant-General's Office, October 3, 1863, p. 860.

him to give such instructions as will facilitate the prompt and thorough execution of them, and ascertain from him, through the adjutant-general of the State—

1. The number of regiments and independent companies or batteries now organizing in the State, the names of the respective commanding officers, the numerical or other designation of each organization, and its place of rendezvous.

2. The strength of each organization as per the latest State records, and the length of time it has been under recruitment.

3. The state or condition of the recruiting service, with reference to the organizations, respectively, [to] be completed.

4. The number of companies of the respective organizations that have left the State, the dates of departure, and the strength of each.

II. With the foregoing in your possession, consult with Major Wallace, chief mustering officer at Albany, and Lieutenant-Colonel Reeve, chief mustering officer for New York City and vicinity, and obtain from them reports embracing—

1. Number of men for the respective organizations mustered into the U. S. service, with dates when the musters therein commenced.

2. Number of complete three-years' regiments, with designation of each, that have left the State since January 1, 1863, with strength of each.

3. Number of incomplete three-years' regiments, with designation of each, that have left the State since January 1, the number of companies and strength of each for the respective organizations to be given.

III. With the foregoing facts for your guidance and information you will proceed to the camp or rendezvous for the troops at New Dorp, Staten Island, and make a careful inspection of all organizations, complete and incomplete, thereat; each regiment or independent company to be inspected separately. You will direct an accurate return of each organization to be made and rendered to you by the commanding officer thereof, the same to be countersigned by the commanding officer of the rendezvous, who will in addition furnish you with a consolidated return of the entire force. Your personal inspection of each organization should verify the returns made to you. Your report will indicate the condition of the troops, so far as their instruction and discipline are concerned.

Particular attention will be given to such two-years' regiments as were formerly in service and are now reorganizing. All such will be reported by you on a separate list. Should you find that the State has other rendezvous for regiments and companies, you will proceed thereto and make like inspections and reports, provided the number of troops thereat will justify, and you are not able to secure satisfactory information otherwise.

The object of your inspections is to place the Department in possession of information which will indicate the true condition of the recruiting service for both old and new organizations throughout the State. To this end it is expected that your investigations will be searching and thorough in every respect.

I am, sir, &c.,

E. D. TOWNSEND,
Assistant Adjutant-General.

P. S.—The foregoing instructions, which fully set forth the wishes of the Department, were prepared prior to your being selected for the

performance of the duty and may be more in detail than is necessary. If so, you are authorized to make such departures from them and to embrace any other points of inquiry as to you may seem best.

E. D. T.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 1, 1863.

Col. ROBERT NUGENT,
Actg. Asst. Provost-Marshal-General, New York City:

COLONEL: In reply to your communication of the 30th ultimo I am directed by the Provost-Marshal-General to say that the rebel prisoners of war who have taken oath of allegiance cannot be accepted as substitutes for drafted men.

I am, colonel, very respectfully, your obedient servant,

HENRY STONE,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, October 1, 1863.

Major-General COUCH,
Commanding Department, Chambersburg, Pa.:

Secretary of War directs that all six-months' troops within your department, except those at Scranton, be immediately mustered out and discharged the service. Harrisburg and Philadelphia are fixed as rendezvous for muster-out; but should the localities where troops are from make it more proper to muster-out the troops now near Chambersburg and Pottsville at these places, respectively, order it, and all others to Harrisburg and Philadelphia. Inform Captain Dodge, chief mustering officer at Harrisburg, and Captain Lane, at Philadelphia, of the arrangements made by you. If troops are mustered out at Chambersburg and Pottsville it will hasten matters for you to appoint mustering-out officers at these places.

Paymasters at Philadelphia and Harrisburg will be ready to act on information received through the chief mustering officers at those places. It is directed that the troops in question may be mustered out and paid off within forty-eight hours. Clothing issued to them will not be charged on muster-out rolls. Acknowledge this and report all you do.

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 2, 1863.

His Excellency JOHN A. ANDREW,
Governor of the State of Massachusetts, Boston, Mass.:

SIR: I have received your letter of the 28th ultimo in reference to the orders issued for enlisting recruits for old regiments, and the effect of the same on regiments now in process of organization in your State.

The main object of the Government in making the draft was to fill up the old regiments. With but few unimportant exceptions, the men raised by the draft have been assigned to carry out this view. In

no other way could they be made to serve any very useful military purpose. Thus disposed of, they materially strengthen the Army. Recruits obtained by the use of the commutation money paid by drafted men will, if so assigned, serve a like purpose, and I feel satisfied that any injury to the public interests which may arise from a delay in completing the new organizations will be far outweighed by the advantages to be derived from strengthening the old regiments.

The true military value of the man seems to me to be very properly expressed by the bounties as at present offered, viz: $100 for a new man in a new regiment, $300 for a new man in an old regiment, and $400 for an old soldier. If, as you state, the result of my order will be to retard indefinitely the completion of new organizations, it can only be so from the fact that recruits go into old regiments instead of new ones. No one doubts that the good of the public service would be promoted by this, and it is the very point we desire to secure, and the lesser good should yield to the greater. I am sure the Department appreciates your labor in raising troops and has had no desire to embarrass you in regard to those you are now organizing, but it will hardly be claimed that because authority has heretofore been granted to or requests made of governors of States to raise new regiments, the General Government shall be precluded from all efforts to recruit the old regiments, especially in the peculiar manner contemplated by the law regarding the disposition of the commutation money. Much more time is consumed in raising these new organizations than it was supposed would be necessary, and no period could now be fixed for the completion of all the fragments in process of organization.

If the principles proposed by you should be adopted, it would inevitably result in converting this whole system into one for recruiting new instead of old regiments, and this, as I understand the matter, the Government is unwilling to do.

Governor Tod is recruiting exclusively for old regiments.

Hoping that you may find it practicable to make other considerations yield to the paramount object of filling up the old regiments,

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, October 2, 1863.

GOVERNOR OF OHIO,
Columbus, Ohio:

The authority by letter from this office of September 15 for you to raise additional regiments of volunteers, infantry and cavalry, is hereby revoked.

JAS. B. FRY,
Provost-Marshal-General.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

The year that is drawing toward its close has been filled with the blessings of fruitful fields and healthful skies. To these bounties, which are so constantly enjoyed that we are prone to forget the source

from which they come, others have been added, which are of so extraordinary a nature that they cannot fail to penetrate and soften the heart which is habitually insensible to the ever-watchful providence of Almighty God.

In the midst of a civil war of unequaled magnitude and severity, which has sometimes seemed to foreign states to invite and provoke their aggressions, peace has been preserved with all nations, order has been maintained, the laws have been respected and obeyed, and harmony has prevailed everywhere, except in the theater of military conflict, while that theater has been greatly contracted by the advancing armies and navies of the Union.

Needful diversions of wealth and strength from the fields of peaceful industry to the national defense have not arrested the plow, the shuttle, or the ship; the ax has enlarged the borders of our settlements, and the mines, as well of iron and coal as of the precious metals, have yielded even more abundantly than heretofore. Population has steadily increased, notwithstanding the waste that has been made in the camp, the siege, and the battle-field, and the country, rejoicing in the consciousness of augmented strength and vigor, is permitted to expect continuance of years with large increase of freedom.

No human counsel hath devised, nor hath any mortal hand worked out these great things. They are the gracious gifts of the Most High God, who, while dealing with us in anger for our sins, hath nevertheless remembered mercy.

It has seemed to me fit and proper that they should be solemnly, reverently, and gratefully acknowledged as with one heart and one voice by the whole American people. I do, therefore, invite my fellow-citizens in every part of the United States, and also those who are at sea and those who are sojourning in foreign lands, to set apart and observe the last Thursday of November next as a day of thanksgiving and praise to our beneficent Father who dwelleth in the heavens. And I recommend to them that, while offering up the ascriptions justly due to Him for such singular deliverances and blessings, they do also, with humble penitence for our national perverseness and disobedience, commend to His tender care all those who have become widows, orphans, mourners, or sufferers in the lamentable civil strife in which we are unavoidably engaged, and fervently implore the interposition of the Almighty hand to heal the wounds of the nation, and to restore it, as soon as may be consistent with the Divine purposes, to the full enjoyment of peace, harmony, tranquillity, and union.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this third day of October, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States the eighty-eighth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

GENERAL ORDERS, No. 329. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, October 3, 1863.*

Whereas, the exigencies of the war require that colored troops should be recruited in the States of Maryland, Missouri, and Tennessee, it is

Ordered, by the President, That the chief of the Bureau for Organizing Colored Troops shall establish recruiting stations at convenient places within said States, and give public notice thereof, and be governed by the following regulations:

1. None but able-bodied persons shall be enlisted.

2. The State and county in which the enlistments are made shall be credited with the recruits enlisted.

3. All persons enlisted into the military service shall forever thereafter be free.

4. Free persons, and slaves with the written consent of their owners, and slaves belonging to those who have been engaged in or given aid and comfort to the rebellion, may be now enlisted, the owners who have not been engaged in or given aid to the rebellion being entitled to receive compensation, as hereafter provided.

5. If within thirty days from the date of opening enlistments, notice thereof and of the recruiting stations being published, a sufficient number of the description of persons aforesaid to meet the exigencies of the service should not be enlisted, then enlistments may be made of slaves without requiring consent of their owners; but they may receive compensation as herein provided for owners offering their slaves for enlistment.

6. Any citizen of said States who shall offer his or her slave for enlistment into the military service shall, if such slave be accepted, receive from the recruiting officer a certificate thereof and become entitled to compensation for the service or labor of said slave, not exceeding the sum of $300, upon filing a valid deed of manumission and of release and making satisfactory proof of the title. And the recruiting officer shall furnish to any claimant a descriptive list of any person enlisted and claimed, under oath, to be his or her slave, and allow any one claiming, under oath, that his or her slave has been enlisted without his or her consent, the privilege of inspecting the enlisted men for the purpose of identification.

7. A board of three persons shall be appointed by the President, to whom the rolls and recruiting lists shall be furnished for public information, and, on demand, exhibited to any person claiming that his or her slave has been enlisted against his or her will.

8. If any person shall, within ten days after the filing of said rolls, make a claim for the service of any person so enlisted, the Board shall proceed to examine the proofs of title, and, if valid, shall award just compensation, not exceeding $300, for each slave enlisted belonging to the claimant; and upon the claimant filing a valid deed of manumission and release of service, the Board shall give the claimant a certificate of the sum awarded, which, on presentation, shall be paid by the chief of the bureau.

9. All the enlistments of colored troops in the State of Maryland, otherwise than in accordance with these regulations, are forbidden.

10. No person who is or has been engaged in rebellion against the Government of the United States, or who in any way has given or shall give aid or comfort to the enemies of the Government, shall be permitted to present any claim or receive compensation for the labor or service of any slave, and all claimants shall file with their claim an oath of allegiance to the Government of the United States.*

By order of the President:

E. D. TOWNSEND,
Assistant Adjutant-General.

*This order was considered confidential at the time of its issue, and was not promulgated with the regular series of general orders.

WASHINGTON, D. C., *October 3, 1863.*

Colonel BIRNEY,
Baltimore, Md.:

Please give me as near as you can the number of slaves you have recruited in Maryland. Of course, the number is not to include the free colored.

A. LINCOLN.

BALTIMORE, MD., *October 3, 1863—8 p. m.*

His Excellency A. LINCOLN,
President of the United States:

Yours just received. Between 1,250 and 1,300, as near as I can judge.

WM. BIRNEY,
Colonel.

BALTIMORE, *October 3, 1863.*

Hon. E. M. STANTON:

DEAR SIR: Since leaving you this afternoon my further reflection on the subject of our interview satisfies me, as I hope it will you, that the time allowed (thirty days) for the enlistment of slaves offered by their owners is entirely too short.

When you remember what a slow process enlistment is, even under the most favorable circumstances, we can hardly hope to make the required progress in the short time suggested. The notice itself will scarcely have circulation in less than half that time, and though a few may be ready at once to respond, some preparation with the most is unavoidable.

Besides, a novel experiment of the kind will have various prejudices to encounter, and must necessarily be a subject of discussion and deliberation before it is definitely adopted. Thirty days will be entirely too short a period to furnish a fair trial. Let me beg, therefore, that you will make the time sixty days at least.

I cannot forbear again attempting to impress upon you my views of passing no order at this time commanding a resort at any specified period to enlistments without the owner's consent. Independently of the fact that various provisions would seem to be required in connection with that branch of the case, necessary to guard against the irregularities which have heretofore prevailed, which can be all better matured and published hereafter, if thought necessary again to recur to that process, every point of view from which I can regard it seems to counsel such delay.

The right to resort to such enlistments might, if you thought proper, be still expressly reserved.

Not only does the exhausted condition of the productive labor of our State, as I urged upon you to-day, require, but the good will of our people toward the Government would be vastly promoted and the success of State constitutional emancipation secured, by suspending the compulsory enlistment until after we have made the experiment of enlisting with the owner's consent.

Let me beg you, sir, to take the matter again into consideration, and to confer with the President, if you are still inclined to differ

with me. At all events, enlarge the time for the first enlistment to sixty days.

I would suggest as a further amendment to that clause in the proposed order which requires the recruiting officer to furnish claimants with descriptive list, &c., to enable him to ascertain whether his slave has got into camp without consent, that he should be also required to allow the claimant a personal inspection of the recruits, as the mere descriptive list might not of itself be sufficient to enable him to identify.

I hope I may have the opportunity of seeing the order before you finally pass or promulgate it.

I have the honor to be, very respectfully, your obedient servant,

A. W. BRADFORD.

HARRISBURG, *October 3, 1863.*

Hon. E. M. STANTON:

On consultation we think it best that the six-months' men should be retained in the service in this State. Please countermand the order for their discharge.

ELI SLIFER.
W. M. MEREDITH.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, October 3, 1863.

Major-General COUCH,
Commanding, Chambersburg, Pa.:

The Secretary of War directs that all action toward mustering out the six-months' troops be suspended until further orders. Please acknowledge the receipt of this, and report the number, if any, already mustered out and discharged.

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 3, 1863.

Governor SALOMON,
Madison, Wis.:

The 25th of October is fixed for the commencement of the draft in Wisconsin. All the volunteers mustered into U. S. service up to the last moment before the draft at which I can be advised of the muster will be deducted from the quotas, the deductions being made from the enrollment sub-districts if the mustering officer reports to me the number mustered in from each. If he can't report the number from each sub-district, then the deductions will be by Congressional districts, if he gives me the number from each. If he can't do that, then the credit will be given to the State at large. There is no additional bounty for new regiments. Veterans get $402, in installments.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR.] WAR DEPT., ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., October 5, 1863.

SIR: The following instructions, received from the General-in-Chief, are furnished for your information and guidance, and are to be strictly observed:

Drafted men and substitutes, disabled since entry into service, will in future be transferred to the Invalid Corps and discharged in the same manner as other soldiers; but in cases where disability existed before entry into service, a board of three officers (two line and one medical, to be convened by the commanding officer of the regiment) will render, in addition to the usual medical certificates (upon which the soldier will be discharged in the usual manner, with pay and allowances, except in cases of fraud), a special report, with a full history of the case, giving the names of the Board of Enrollment, the State and district to which they belong, that proper steps may at once be taken to prevent recurrence of such cases.

Men drafted and substitutes will not be discharged for disability existing before entry into service until they have been with the regiment to which assigned at least one week.

I have the honor to be, sir, your obedient servant,

SAML. BRECK,
Assistant Adjutant-General.

MADISON, *October 5, 1863.*

Colonel FRY:

Your dispatch received. Have you not authorized the Governor of Ohio to raise volunteers by circular of September 15 under bounties offered by you? If so, why are not such bounties offered in this State also?

E. SALOMON,
Governor of Wisconsin.

CIRCULAR No. 92. WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, October 6, 1863.

The principles laid down by the Judge-Advocate-General of the Army, announced in Circular No. 67, will govern provost-marshals in giving certificates of reward for the arrest of drafted men who fail to report as required by law.

JAMES B. FRY,
Provost-Marshal-General.

GENERAL HEADQUARTERS STATE OF ILLINOIS,
ADJUTANT-GENERAL'S OFFICE,
Springfield, October 6, 1863.

Maj. C. W. FOSTER,
Assistant Adjutant-General, Washington:

MAJOR: Referring to your communication of the 24th [25th] instant [ultimo], authorizing the Governor of this State to raise a regiment of infantry of colored persons in this State for Government service, I am directed by His Excellency Governor Yates to express the fear that the regiment cannot be raised on the terms proposed, to wit, $10 per month and no bounties.

The colored men of the State have frequently urged Governor Yates to obtain permission to recruit a regiment in this State, and Governor Yates in making the application to do so had supposed that the War Department would offer some more inducements for that purpose. He had understood that the same pay was allowed to colored troops raised in Massachusetts as to other troops in the service. If, however, no greater inducements can be offered to enlist these men than the sum named, while he will take pleasure in doing what he can, he will do so, but with some fears of not being successful. The colored men of this State are generally a good class and can command at home readily from $12 to $15 per month.

I am therefore instructed, respectfully, to inquire if the War Department cannot offer some additional inducements than those contained in your letter of the 24th [25th] to secure the services of these men.

I have the honor to remain, very respectfully, your obedient servant,

ALLEN C. FULLER,
Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 6, 1863.

His Excellency SAMUEL J. KIRKWOOD,
Governor of the State of Iowa:

SIR: I have the honor to inform you that the State of Iowa stands credited on the books of the Adjutant-General of the Army with an excess of 13,897 over all calls for troops in 1861 and 1862 and in 1863 up to the 11th day of June.

The quota of the State for the present draft is 12,616. The excess of troops heretofore furnished by it over this quota is 1,281; there will therefore be no draft in Iowa under the present call for troops, and the number of 1,281 will stand to its credit in the future demands of the Government.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

MADISON, WIS., *October 6, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

In addition to last dispatch I wish to say that your circular is widely published in the papers, and it causes great dissatisfaction that the bounties referred [to] are not offered in this State also. It is my earnest desire to avoid all such sources of discontent with the proceedings of the Government.

E. SALOMON,
Governor of Wisconsin.

EXECUTIVE DEPARTMENT,
Indianapolis, Ind., October 7, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

I respectfully submit the following plan for filling up the old three-years' regiments:

A certain number of the old regiments, say one for each Congres-

sional district, reduced lowest in point of numbers or oldest in organization, and three-fourths of which will re-enlist for three years, shall be brought home to recruit. Officers and men to be furloughed for such time as the Governors of the respective States may determine for the purpose of recruiting for their respective regiments, the Governors to designate places of rendezvous. At the expiration of the term of furlough the regiments to be returned to the field, and a like number of old regiments upon the same principle to be brought home and recruited, and so on.

The men who re-enlist to be mustered out as if their first terms of enlistment had expired, receiving $100 bounty for past service, and the $402 bounty awarded to veteran volunteers for future service. This plan will place the regiments organized in 1861, as regards bounty, on the same footing as those organized in 1862, and it is believed the plan will take so few men from any one corps as not to materially weaken it.

O. P. MORTON,
Governor of Indiana.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 7, 1863.

His Excellency HORATIO SEYMOUR,
Governor of New York, Albany, N. Y.:

SIR: The acting assistant provost-marshals-general of the Northern, Southern and Western Divisions of New York have been ordered to commence a new enrollment in the Second, Fourth, Fifth, Sixth, Seventh, Eighth, Sixteenth, Seventeenth, Twenty-first, Twenty-fifth, Twenty-ninth, and Thirty-first districts as soon as practicable, and to notify you of the day on which the new enrollment can be commenced in any district.

I have the honor to invite you, in accordance with the tenor of the President's letters to Your Excellency dated August 7 and 11, to appoint some suitable persons to witness the enrollment and assist the officers of the Government in taking such steps as will make it correct and satisfactory.

If this proceeding meets your approval, will you oblige me by giving me the names of persons whom you appoint, with their places of residence, and such other information as will be necessary to enable me to give the proper orders to the Board of Enrollment.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 7, 1863.

Maj. Gen. JOHN POPE,
Comdg. Dept. of the Northwest, Milwaukee, Wis.:

GENERAL: I have the honor to inform you that the 25th of October is the day fixed for commencing the draft in Wisconsin. The Governor has been notified and informed that all the volunteers mustered into the U. S. service before the 24th will be duly credited on the quotas for draft. It is hoped that many volunteers will be raised by the Governor previous to the draft, and thus the quotas reduced or

entirely covered. I should be pleased to have your influence used to promote this end.

Lieutenant-Colonel Lovell, acting assistant provost-marshal-general, will give you any particulars you may desire as to the quotas of particular districts, &c., and if a military force is necessary in making the draft I request that you will provide it.

Lieutenant-Colonel Lovell has been assigned to duty as superintendent of volunteer recruiting service, and, with a view to facilitating the business and acting in conjunction with the Governor, he has been ordered to take post at Madison.

I am, general, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

GENERAL ORDERS, No. 21. HDQRS. U. S. QUARTERMASTER'S DEPT., *Chattanooga, October 8, 1863.*

I. The duties of the chief quartermaster of an army consisting of several corps, divisions, or other organizations embrace all that is necessary for the regulation and control of operations of the quartermaster's department in the army to which he is attached.

When an army corps is so far detached as to be without the limits of communication with the headquarters of the army of which it forms a part, or where an army corps is an independent command, the duties of the chief quartermaster of the corps are the same as those of the chief quartermaster of an army.

In the absence of the chief quartermaster from headquarters for any length of time, his duties at headquarters will be assumed and performed by the senior officer of the Quartermaster's Department present with the army.

The chief quartermaster of an army should require from all the officers of his department serving under his direction reports of the condition of the property in their charge at such times as he may think necessary.

Regular reports should be made on the last day of each month, and generally it will be well to require them also on the 15th day of each month.

These monthly and semi-monthly reports should specify the number and condition of all wagons, animals, and other means of transportation; of all cavalry and artillery horses for which the quartermaster is expected to provide forage.

They should state the condition of the clothing of the troops in each regiment, and the number of articles of clothing, and the quantity of other supplies needed to complete the equipment of the men, of the animals, and of the wagons, according to the regulations and general orders in force at the time.

In the Army of the Cumberland a very thorough system of semi-monthly inspection is carried out by the inspector-general, and the information as to the wants of the troops obtained by these inspections is communicated to the chief quartermaster by the inspector-general.

This should be used in correcting the reports received from the various subordinate quartermasters.

These reports should be made by regimental quartermasters and by acting assistant and assistant quartermasters to their next superiors in regular order.

Brigade, division, and corps quartermasters will consolidate them and forward them to the chief quartermaster of the army, giving in the consolidated reports the estimates in detail for each regiment.

The strength present of the several organizations should be stated upon the several returns and estimates.

The reports should be submitted for approval, as provided by Army Regulations, to the several commanders, regimental, brigade, division, and corps, in order.

The chief quartermaster will consolidate all the reports and submit them to the commanding general for approval and for his orders.

Such supplies of clothing and other property as may be in the several depots under his control he will cause to be brought forward and distributed to the corps quartermasters, to be by them distributed to their subordinates for issue to the troops. The accumulation of surplus stores of any kind in the immediate fields of active operations embarrasses an army, lessens its mobility, diminishes by the necessary guards its fighting strength, and leads to frequent abandonment or destruction of valuable property. It should be avoided.

Every quartermaster competent for his office will be able to estimate accurately enough, for all practicable purposes, the quantity of every kind of supply which his command will be likely to need within a fortnight. While forage and rations for several days use should be always kept with troops, so that they may be able to march at a moment's notice, as far as possible daily supplies should be brought up from the depots for daily issue and consumption. This will leave the supplies packed in wagons intact as a reserve to be used on the march.

With the monthly estimates, forwarded on the last day of each month, there should be full estimates of funds for paying off any indebtedness then existing, and also for the expenses of the ensuing month the items should be separately stated in the estimate.

These estimates for money should be consolidated and forwarded by the chief quartermaster of the army to the supervising quartermaster, who is charged with providing him with funds. Only in extraordinary cases should these estimates be sent direct to Washington from the headquarters of the several armies where there is a supervising quartermaster.

The supervising quartermasters will forward the estimates, with their remarks, for the action of the Quartermaster-General.

They will supply such funds as are immediately needed, and will advise the Quartermaster-General's Office, at Washington, of the best mode at the time of supplying the funds required, whether by transfer from the supervising quartermaster or by direct remittance to the chief quartermaster of the army.

When an army is concentrated there should be but one disbursing quartermaster, who is the chief quartermaster of the army. He should furnish the corps quartermasters with the funds needed to pay off the pay-rolls of all persons employed by the quartermaster's department within their several commands, and should examine these pay-rolls and correct them before furnishing the funds.

Where a body of troops is detached to a considerable distance, the funds necessary to pay for forage or supplies purchased from loyal citizens of the country in which they are operating should be placed in the hands of the senior quartermaster accompanying them, who should always be a bonded disbursing officer, of the rank at least of captain and assistant quartermaster.

Public money should not be placed in the hands of officers who have not given bonds. Therefore, if the command thus detached is to

be absent for a considerable time, and is to operate at a distance, an officer of such rank should always be detailed to accompany the command.

Whenever a corps is operating at a distance from the headquarters or main body of an army, the lieutenant-colonel and chief quartermaster of the corps will be supplied with the necessary funds and will perform the duties herein prescribed for the chief quartermaster of an army.

The general object of this instruction is to reduce as much as possible the number of officers charged with the disbursement and keeping of public money, and thus diminish the risk of loss, waste, extravagance, and wrong.

The monthly and semi-monthly estimates of clothing and other supplies needed should be forwarded to the supervising quartermaster, with remarks, showing what supplies are present at the depots within control of the chief quartermaster of the army, what it is necessary to provide, and recommending the mode of providing them. These estimates should always be accompanied by a letter of advice, which should not be mere form, but which should give all the information needed to enable the supervising quartermaster to provide for the wants of the troops and to correct any abuses or errors which may appear. These estimates, with the accompanying paper, will be forwarded to the Quartermaster-General, with remarks and letters of advice by the supervising quartermaster, which will enable the department to take the necessary action.

The chief quartermaster of the Department of the East, of the Susquehanna, of the Monongahela, of West Virginia, of the Middle Department, of the Department of Virginia, of the Army of the Potomac, of the Department of North Carolina, of the South, and of the Gulf will forward their estimates direct to the Quartermaster-General's Office at Washington. Those of the Ohio and of the Cumberland will forward them through Col. Thomas Swords, assistant quartermaster-general, senior and supervising quartermaster of those departments.

Those of the Northwest, of the Missouri, of the Tennessee, and of Kansas will forward their estimates through Brig. Gen. Robert Allen, senior and supervising quartermaster of those departments.

II. The attention of officers of the Quartermaster's Department is called to the necessity for greater neatness and care of their animals and means of transportation. The Army has been long enough in the field to give all the necessary experience to officers and drivers.

Horses and mules thrive better, bear fatigue and exposure better, for good grooming and protection from the weather.

Wagons will do better service from being cleaned and occasionally painted.

Harness should be hung up and kept clean, washed with soap and water, and occasionally oiled, and should not be thrown upon the ground.

There is no sufficient excuse for the difference in grooming and cleanliness which is now too apparent between the animals and equipage of the artillery and of the Quartermaster's Department.

To enforce attention in these respects frequent inspections should be made, and the chief quartermaster of each army and army corps should assign the necessary assistant quartermaster for this purpose. Corps quartermasters should inspect all their trains regularly at least once a week.

The duties of the chief quartermaster of an army or of an army corps are intended to be supervisory and administrative. His time

should not be occupied with accountability for property, and he should have an assistant who will receive, receipt for, and take charge of all property which comes into his hands.

He should himself be active in visiting the different columns and camps, and see with his own eyes the condition of the troops and supplies.

He should be in daily communication with the commanding officer of his command, and be prepared at all times to second his exertions for the comfort, safety, health, efficiency, and mobility of the troops.

To this end he should be accurately informed as to the supplies on hand, their position and condition, as to the means of transportation in the regimental, division, and general supply trains, and be prepared to supply any deficiency.

He should be habitually an out-of-door, not an office, man.

III. All reports should be made, as far as possible, upon the blanks prescribed in the Army Regulations.

IV. There are abuses and irregularities in the employment of clerks. Some quartermasters employ a much larger number than is necessary for the transaction of the public business, and pay prices which are not authorized by the department.

The attention of officers is called to this matter. It is the duty of every officer to correct this abuse in those under his command, according to rank.

V. The practice, which it is reported prevails to some extent, of accumulating surplus stores and animals, of being "ahead," is in violation of regulations, is wrong, and leads to many abuses. No officer can properly be "ahead," for it is his duty to take up upon his returns and account for all property which may be in his possession.

If he finds a stray mule, he should report the time, place, and manner in which it came into his possession, and should not use it to balance his returns of property by substituting it for another animal which he has lost.

The loss of animals or of property should be reported, with explanations of the manner and cause of the loss, which, if according to regulations and sufficient, will exonerate the officer from blame and settle his accounts for the property lost.

No officer has the right to appropriate the property strayed from another officer and charged to him to make up deficiencies in his own.

VI. The attention of officers is called to the Revised Regulations of the Army in relation to the public property, money, and accounts, as modified by general orders and circulars from the War Department and from the Quartermaster-General's Office.

Officers who have not received full sets of general orders of the Quartermaster-General's Office for the past year should apply for them direct to Washington, stating the cause, if known, of the failure, and calling for the particular orders needed to complete their files.

VII. Every wagon should be supplied with a shovel or spade, a pick, and an ax.

These tools should be habitually used to repair roads on the march of trains.

Half an hour's labor of the wagon-masters and teamsters of a train of twenty-five wagons will, under intelligent directions by their officers, repair places which, if not repaired, will delay the march of a large train for hours.

It is a disgrace to a quartermaster to lie for days in camp with a large force of idle men under his command while the road within

sight of his camp is in such a condition as to delay and break down passing trains, and yet this is no uncommon sight.

VIII. Upon the energy, ability, fidelity, and foresight of the chief quartermaster of any body of troops the success of every march and of every military operation undertaken by their commander largely depends.

The chief quartermaster is upon the staff of the commanding officer, and should be in the closest relations with him. He will generally have the right to give orders within his own department in the name and by the authority of the commander; and his authority over the trains, the property, and the supplies is subordinate only to that of the commander, and to that of his superior in his own department.

If he is active and vigilant he can be of the greatest service to his commander, and to the troops, and to his country. If he is careless his example will corrupt the whole department under his direction; the officers and drivers will become careless, inefficient, and wasteful; the equipage will become unserviceable, and the Government will be called upon to replace the animals ruined by neglect and inattention.

It is not too much to say that the Government has already been obliged to replace many thousands of horses and mules which, with proper understanding of and attention to their duties on the part of chief quartermasters, would have been at this moment in serviceable condition. Many thousands of animals purchased at the very beginning of the war are now in service, fat and in good condition. Proper service does not necessarily destroy these animals.

Neglect and inattention and imbecility on the part of those in charge ruin them and tax the Treasury.

IX. This order will be printed and distributed to every officer serving in the Quartermaster's Department.

M. C. MEIGS,
Quartermaster-General U. S. Army.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 8, 1863.

His Excellency FREDERICK HOLBROOK,
Governor of the State of Vermont:

SIR: I had the honor to communicate to you on the 21st ultimo the plan adopted for raising volunteer recruits for old regiments, and the pecuniary inducements offered for such enlistments in premiums to recruiting agents, and an increase of the soldier's bounty, as now established by law, by a specified amount to be obtained from the commutation money derived from the draft.

The success or failure of this scheme will probably settle the question as to whether recourse must be had to another draft. Should such resort become necessary, the men raised under the volunteer recruiting plan proposed will be duly credited to the districts and sub-districts reported as entitled thereto by the mustering officers. The difficulties which were found to arise in the endeavor to give to particular localities credit for the volunteers heretofore furnished will not attend the system as now proposed. The recruits will be permitted to select their regiments, and will be mustered into them before leaving the general rendezvous. It is important that the people of your State should be acquainted with these facts, and I would be pleased if the same could be made known to them by yourself and your officers.

I would again solicit your aid in securing the success of this measure, and I would most respectfully invite your suggestions, from time to time, as to such improvements in the plan as you may be pleased to present.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

(Similar letter, same date, to Abner Coburn, Governor of the State of Maine referring to letter of 23d ultimo.)

GENERAL ORDERS, No. 331. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, October 9, 1863.*

The President's orders: 1. All houses, tenements, lands, and plantations, except such as may be required for military purposes, which have been or may be deserted and abandoned by insurgents within the lines of the military occupation of the U. S. forces in States declared by proclamation of the President to be in insurrection, will hereafter be under the supervision and control of the supervising special agent of the Treasury Department.

2. All commanders of military departments, districts, and posts will, upon receipt of this order, surrender and turn over to the proper supervising special agent such houses, tenements, lands, and plantations, not required for military uses, as may be in their possession or under their control; and all officers of the Army of the United States will, at all times, render to the agents appointed by the Secretary of the Treasury all such aid as may be necessary to enable them to obtain possession of such houses, tenements, lands, and plantations, and to maintain their authority over the same.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, October 9, 1863.

Brig. Gen. J. S. WADSWORTH, U. S. Volunteers,
Washington, D. C.:

SIR: I have the honor to inclose herewith an order assigning you to special duty in this Department.* The instructions of the Secretary of War to you are to inspect colored troops that have been raised or are being raised and organized in the Mississippi Valley, and also to inspect all camps, posts, plantations, towns, cities, and other places whatsoever where colored troops are being raised or where there is a colored population from which such troops may be raised, and also to examine into the condition of the women, children, infirm, and sick of the colored people in the Mississippi Valley, and to inquire and report what means are, in your judgment, best adapted to the protection, maintenance, employment, and comfort of the colored population not organized into troops, and generally to examine into and report upon any subject connected with the proper management and welfare of the colored population in the Mississippi Valley. You will report to Brigadier-General Thomas, Adjutant-General, wherever he

* Order omitted.

may be found. The commencement of your duties will be at Cairo, and you will proceed thence, if you deem proper, to New Orleans, or in any direction that, in your judgment, will enable you to investigate and report upon the subject with advantage to the service. You are authorized to take one of your aides-de-camp with you.

I am, sir, &c.,

E. D. TOWNSEND,
Assistant Adjutant-General.

P. S.—You and your aide will return to this city and report to the Secretary after performing this duty.

E. D. T.

KEOKUK, IOWA, *October 9, 1863.*

SECRETARY OF WAR:

I came here to-day to make requisition for clothing for colored regiment organizing under orders of this State founded on General Thomas' order. The officers seem to think that because somebody was authorized to raise the regiment by General Thomas, therefore the State has nothing to do, and that the officers are to be commissioned by the United States, and that they are to be selected by the person authorized to raise the regiment. I do not understand it so. I have succeeded in furnishing the regiment the same as with any regiment, under Order 75. I suppose I shall continue to proceed so under orders of the Governor, and that the commissions will come from him. I wish you would answer by telegraph immediately so that I may know how to proceed.

N. B. BAKER,
Adjutant-General Iowa.

WAR DEPARTMENT,
Washington City, October 9, 1863.

N. B. BAKER,
Adjutant-General of Iowa:

The colored troops are organized as U. S. volunteers and received into military service under the act of Congress of 17th July, 1862, and not as State volunteers. The officers are commissioned by the President and not by the Governor, but the State receives credit for the troops on any draft as in case of other troops. No officer is commissioned until after examination and approval by the board of examiners. The Governor's nomination to this Department secures the appointment, if the person can pass examination.

EDWIN M. STANTON,
Secretary of War.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 9, 1863.

Major-General DIX,
Commanding Department of the East, New York City:

GENERAL: I have the honor to inform you that orders have been issued for the draft to commence in New Jersey on the 25th instant. I inform you of this, as a military force may be necessary. The State has already raised a large portion of its quota. The Second and Fifth

Districts have nearly filled their quotas, and it is hoped that the entire quota will be in service before the day fixed for draft. If so, there will be no draft. You are probably as well acquainted with the state of feeling in New Jersey as I am, and can judge of the preparations necessary in making the draft.

Lieut. Col. R. C. Buchanan, stationed at Trenton, is provost-marshal-general of the State.

I am, general, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

MADISON, WIS., *October 9, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

September 29 I wrote Colonel Fry requesting the offer of $300 bounty to new recruits, if such had been offered in any other States as reported.

Subsequently I saw published in newspapers his circular of September 15 relative to raising troops and additional bounties, and telegraphed him October 2, 5, and 6, asking if such bounties had been offered in Ohio, and requesting him that they be offered here to facilitate recruiting and avoid dissatisfaction. I cannot get an answer from him to my last dispatches; also my letters, and especially that of September 21 concerning assignments of quotas to towns, are unanswered. Please inquire into the matter and answer.

EDWD. SALOMON,
Governor of Wisconsin.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, October 10, 1863.

GOVERNOR OF INDIANA,
Indianapolis, Ind.:

Through an oversight the time in which to raise the eleven regiments authorized by my letter of the 14th September was not stated. No bounty other than that authorized by law will be paid to new men raised by you for new regiments, except during the next thirty days.

JAS. B. FRY,
Provost-Marshal-General.

STATE OF MARYLAND, EXECUTIVE DEPARTMENT,
Annapolis, October 10, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: I have received your letter of the 8th instant, informing me that orders had been sent to the boards of enrollment directing a draft to be made in the First, Second, and Third Congressional Districts of this State. I have since had a conference with Major Jeffries, the deputy provost-marshal for Maryland, who I was in hopes would be able to furnish me with some of the data or calculations by which the number of the draft from these three districts has been ascertained. It does not appear from any information possessed by Major

Jeffries or myself that any credit whatever for the three-years' or six-months' volunteers, white or colored, has been made either to these Congressional districts or the counties comprising them, and the number ordered from these districts would seem to confirm that view of the case. Indeed, the number as compared with the previous draft is calculated to startle us. The number of drafted men called for by the President's order of 1863 is, I believe, the same ordered in the draft of 1862, viz, 300,000, and yet the quota of the whole State under the 1862 draft was but 6,000, or less by upward of 2,000 (and exclusive of the 50 per cent. margin) than is now claimed from three only of the five Congressional districts into which the State is divided, and this, too, in the face of the fact that is indisputable that the number now in the State subject to military duty is far less than at the time of the former draft.

I would be obliged to you, therefore, for such information as will furnish to me the data or mode of calculation by which the results you have stated have been reached.

After ascertaining the number with which the State is to be credited, another question arises as to the manner in which that credit is to be apportioned. In a conversation had with the Secretary of War on this subject about six weeks ago, and in which I called to his notice the injustice that would be done to some of the counties if they were not severally credited with the volunteers, &c., they had sent, he said that although he thought such subdivisions could not well be made, yet that before the principle of the apportionment was fixed he would have another conference with me on the subject. I saw him again on Saturday last, and, though our conversation related chiefly to other matters, it was expressly agreed by him that the colored troops from Maryland should be credited to the counties. To do this we must of course start with the quota due from each county, and the only difficulty connected with such a division of the subject would be the ascertainment of the number of recruits coming from each county, which I think we can find means of doing. The order for the draft by districts was probably prepared before the late conversation with the Secretary to which I refer, but he will confirm what I have said.

Yours, very respectfully,

A. W. BRADFORD.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, October 10, 1863—10.25 p. m.

Governor SALOMON,
Madison, Wis.:

The State of Indiana being in advance of her proportion and not liable to the present draft, in order to induce the raising a certain number of regiments in a short time, authority was given to the Governor to recruit eleven regiments, giving the bounty of $300. This was a special case before any general system was adopted, and is restricted to the specified regiments. The authority to the Governor of Ohio to raise new regiments was not acted upon, and has been revoked. The bounties you are authorized to pay are $100, as authorized by law for recruits, and $400 for veterans.

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, October 11, 1863.

Major N. L. JEFFRIES,
Actg. Asst. Provost-Marshal-General, Baltimore, Md.:

Consult the general commanding as to the propriety of drafting in both districts at once. If it is as safe to do so then that is best. If there is any danger of riot draw in one district at a time. Consult the Governor also on this point.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington, October 12, 1863.

Recruiting stations will be established in the State of Tennessee for colored troops by Brig. Gen. Andrew Johnson, Military Governor. The foregoing order* is modified, in respect to the State of Tennessee, by such regulations as he may establish to promote enlistments, subject to the approval of the War Department.

By order of the President:

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., October 12, 1863.

Brig. Gen. ALLEN C. FULLER,
Adjutant-General State of Illinois, Springfield, Ill.:

GENERAL: I have the honor to acknowledge the receipt of your letter of the 6th instant stating that a colored regiment cannot be raised in Illinois for the reason that the rate of pay does not furnish a sufficient inducement for men to enlist.

I am directed by the Secretary of War to inform you that it is not in the power of the Department to offer any further inducement, as the law authorizing the employment of colored troops distinctly declares that to such troops shall be paid "$10 per month, $3 of which monthly pay may be in clothing." All colored soldiers are paid in accordance with this enactment.

I have the honor to be, very respectfully, your obedient servant,

C. W. FOSTER,
Assistant Adjutant-General of Volunteers.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL
FOR MARYLAND AND DELAWARE,
Baltimore, October 12, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: Pursuant to your telegram of yesterday I have consulted with Major-General Schenck, commanding Middle Department, and His Excellency Augustus W. Bradford, Governor of Maryland, as to the propriety of drafting in the three districts named at the same time.

*See General Orders, No. 329, Adjutant-General's Office, October 8, 1863, p. 860.

General Schenck thought that it would produce less excitement to draft in one of the districts at a time, but does not apprehend resistance. Governor Bradford is of opinion that the whole of the districts might be proceeded with at once, but desires sufficient delay to enable him to ascertain if the credits which he claims should be allowed on account of negro enlistments are to be given.

General Schenck requests delay in order to recruit additional colored troops, stating that he had assured the people of Maryland that upon their consent to the enlistment of slaves the number enlisted should be credited upon the present draft. However this question may be determined, it occurs to me that in Baltimore, and particularly in the Third District, which is entirely included in the city limits, no difficulty can arise, for the reason that the colored troops are not furnished by the city, and any claim that the county districts may urge would not interfere with the draft here. I have no apprehension of riot or disorder in making the draft.

Very respectfully, your obedient servant,

N. L. JEFFRIES.

BALTIMORE, *October 12, 1863.*

Hon. E. M. STANTON,
Secretary of War:

DEAR SIR: Our election takes place on the 4th of November next. I notice the draft is ordered to take place in three districts at once. This is very well, if it does not take place until after the election. It will enlist every one on the bay there in the business of recruiting negroes, and the Government will receive a brigade of them immediately. If it does take place before the election I fear it will cost us every congressman but Davis. The matter is now progressing so favorably I should be sorry to see the struggle for emancipation crippled, unless it is absolutely necessary at this juncture.

I hope, therefore, you will at once put out the order respecting negro enlistments and intimate to the provost-marshal to postpone the draft till Thursday, 5th of November.

I was much disappointed on Saturday, as were the gentlemen invited to meet you. I find I cannot trust Colonel Piatt to bring you, and shall come for you next time in person.

Yours, truly,

HUGH L. BOND.

STATE OF VERMONT, EXECUTIVE CHAMBER,
Montpelier, October 12, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: The bearer hereof, Frank F. Holbrook, esq., visits Washington to consult with you upon business connected with recruiting the veteran regiments authorized by General Orders, No. 191, of the War Department. The letter from me will explain more fully the object of his visit and he will personally state my views and wishes in regard to the subject.

I am, very respectfully, your obedient servant,

J. GREGORY SMITH,
Governor of Vermont.

[Inclosure No. 1.]

STATE OF VERMONT, EXECUTIVE CHAMBER,
Montpelier, October 12, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

DEAR SIR: Yours of 8th instant, addressed to my predecessor, has been handed to me. I have also seen the letter addressed to you by Adjutant-General Washburn. The subject referred to in his communication I regard of great importance both to the State and the Government, and fully concurring as I do with him in the views expressed, I beg to urge the necessity of complying with his suggestions if we would avoid the danger of discouragements which I am sure would follow if the request is denied. The offices for recruiting in these veteran regiments are now already established and recruits are coming in, slowly to be sure, yet each day thus far has shown a favorable increase, and I am happy to say that there is every sign of encouragement that we shall be able to fill the one regiment to which our efforts are now being directed within the limited time if we can be permitted to place the State upon the same footing as to bounties with the General Government.

The object of the Government is of course to obtain the requisite number of men, and whether this is accomplished through the States or by the efforts of the General Government, or both, I presume, is matter of little moment. There are now already recruited toward the first regiment veterans between 200 and 300 men, and efforts have been made throughout the State to stimulate enlistments with a good degree of success thus far, and I should regret extremely to see these rendered nugatory by the proposed action of the Department in refusing to give the State the same bounties as are offered to those raised by the General Government. The effect of this would be to discourage enlistments, and I very much doubt if any considerable portion of those now enlisted under the State authority would re-enlist if this organization were broken up and the men disbanded. Under these circumstances, therefore, I hope the Department will authorize the State to offer the same bounties for new recruits that are offered by the General Government, at least until the two or three veteran regiments are raised that are now in contemplation.

Will you please advise me by telegraph, on receipt of this, your decision?

I am, very respectfully, your obedient servant,

J. GREGORY SMITH.

[Inclosure No. 2.]

STATE OF VERMONT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Woodstock, October 10, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General United States, Washington, D. C.:

SIR: Yours of the 8th instant addressed to Governor Holbrook, who has now retired from office, has been received. Your letter of the same date addressed to Brig. Gen. T. G. Pitcher, assistant provost-marshal-general for Vermont, has also been communicated to me.

I entirely concur in your views in respect to the importance of filling the old regiments and shall co-operate with your officers in this

State to the fullest extent in promoting the accomplishment of this purpose. But there is that in the present condition of the State which, in my judgment, justifies and requires the immediate offer of $300 bounty to those recruits who have not been in the service who shall enlist in the new regiments now raising in this State, as well as to those who shall enlist in the old regiments. Under General Orders, No. 191, assigning two regiments and a battery to this State, measures were taken in August to raise them. Recruiting officers were appointed and located in different parts of the State, and they commenced work actively and faithfully. But the work of raising the regiments was found more difficult than was expected. Only veterans were allowed to be enlisted. The last month's service of our returned nine-months' regiments had been unusually severe, involving the rapid march from Fairfax Court-House to Gettysburg, the battle at the latter place, and the subsequent marches. There was an unusual amount of sickness among the returned members of the regiments. In some of them more men have already died since they returned into the State than died during their entire term of service. This discouraged those who were not sick, and generally the men were not ready to re-enlist.

Under these circumstances I applied for and received permission to enlist men who had not served, offering them only $100 bounty. Some enlistments were thus obtained, but labor was very scarce, and the farmers outbid the Government during harvesting. I called upon the officers of our towns and the patriotic citizens to aid, by their influence and their efforts, the labors of the recruiting officers. The people of the State began to awake to the importance of raising these regiments, both to aid Government and to save the State from a supplemental draft to fill the deficiency of the last quota. Enlistments began to come in with more rapidity. Recruiting officers made encouraging reports, and success within some reasonable time appeared certain.

But it has now become known that recruits enlisted for these regiments, who have not served, can receive but $100 bounty, while those who are enlisted by recruiting officers appointed by the provost-marshals receive $300. This has stopped recruiting for the veteran regiments from that class of men. Of those who have seen service but few enlist yet, for the reasons I have above stated. Recruiting officers all report that if permitted to offer $300 bounty to men who have not served they can fill their companies rapidly. If not allowed, it involves ultimately the necessity of revoking the commissions of the recruiting officers now at work, announcing that the veteran regiments cannot be filled, and discharging the men already enlisted, amounting to from 250 to 300 men. This would at once operate a cessation of the labors of town officers, and would effectually throw a wet blanket upon the now rising enthusiasm in the State in behalf of filling promptly the call made. This result could not be produced without at the same time effectually dampening the ardor for enlistments generally, and thus it would directly operate to repress enlistments for the old regiments.

In the important work of raising men there should be and must be perfect harmony and concert of action between the officers of the State and of the United States. The officers of the State can exert an influence over the officers of the several towns which cannot well be attained without their action. This is exercised, to a considerable

extent, by an appeal to their local and town pride as well as to their patriotism and a call upon them to raise their portion of the quota of the State. While the U. S. recruiting officers usually can only act upon the recruit himself, the State officers can both act upon the recruit directly and also bring to bear upon him the influence of his local and town officers.

If it is understood that the regiments which we have been so long endeavoring to raise are given up, town officers will lose their immediate and direct interest in the work of raising troops and the service must suffer. The State has already incurred a very large expense for the personal services of these recruiting officers, which will be lost entirely if the raising of these organizations should fail. I understand, of course, that you have no present intent to produce a failure of the raising of these regiments. But the experiment of attempting to raise them from a particular class has been faithfully tried and has failed; and, therefore, if the recruiting officers are still confined to that class the raising of the regiments will undoubtedly fail.

In the course of the next season eight regiments of Vermont troops will be mustered out of service. There should be some new organizations to take their places. You will therefore perceive that in the present condition of the service in this State I regard it as being of as much importance to complete the filling of the regiments now authorized as to fill the old regiments. We want the old regiments filled, because raw recruits placed there will be able at once to do the work of veterans. We want the new regiments filled, because thereby we shall be able to promote and increase the recruiting service in this State and bring to bear upon it agencies which cannot otherwise be secured, and without which the entire recruiting service must suffer.

I therefore advise and most earnestly request that the officers of the State be authorized to offer $300 bounty to those recruits for the veteran regiments now raising in this State who have not served or who have served less than nine months. And I desire that this authority may be forwarded at once to His Excellency J. Gregory Smith, Governor of the State, at Montpelier, by telegraph. The service is just now in that condition here that every day is of value. The harvest is just finished; town officers are putting themselves to work to raise men; a healthy spirit of excitement is beginning to pervade the State; public meetings upon the subject are being held in towns and school districts; recruiting officers are becoming hopeful, and just that spirit is being aroused which will enable us, if it be properly dealt by and fostered, to fill both the new and the old regiments by voluntary enlistment.

I ask your immediate and careful attention to these matters, as I regard your action as of the highest importance. If the bounty is offered as requested, the recruiting service must and will prove successful in all its branches; if refused, the new regiments must fail, discouragement will pervade all classes interested in the work of raising them. This will react upon those who should enlist into the old regiments and who otherwise would do so, and the result will be the failure of the attempt to raise men except by a compulsory draft upon a new law which shall be so framed as to secure the raising of men instead of money.

I am, very respectfully, your obedient servant,

PETER T. WASHBURN,
Adjutant and Inspector General.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
STATE OF NEW YORK, NORTHERN DIVISION,
Albany, October 13, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: We have just had an interview with Governor Seymour, in presence of his quartermaster-general, Talcott, General Sprague, his adjutant-general, being absent. The Governor selects the alteration proposed by you for appointing the committees to designate recruiting agents, and seems fully to concur in this method of recruiting, saying he thinks it the best that occurs to him. We agree with him as to the propriety of making the new committees, the old ones being too numerous and too much scattered in each senate district to be made available. He will designate his members of the committees at once, and we can have this plan in operation with very little delay.

The Governor suggests that the high bounty offered for arrests of deserters will lead to a great many improper arrests, and suggests that there should be some commission or tribunal at the headquarters of the acting assistant provost-marshal-general of the State to examine arrested men so far as to see whether there was probable cause to detain them, and whether the bounty should be paid. We would propose that the Governor be allowed to appoint, without expense to the General Government, a person who, with the mustering and disbursing officer at the general rendezvous, should examine all cases where the party claimed as a deserter denied that he was such, with the understanding that where they agreed that the arrest was wrong the party might be discharged; and where they regarded it a doubtful case, or disagreed as to the person being a deserter, he might be detained in custody until his case could be reported to you and instructions given. This would prevent much clamor about improper arrests. With this provision it would seem we could have the earnest co-operation of the Governor in procuring recruits and arresting deserters.

The quartermaster-general of the State thinks it best that the clothing now in the hands of the provost-marshals be turned over to him and issued to volunteers at the general rendezvous; also that the transportation to the general rendezvous be furnished by him. About this we are indifferent. We would be pleased to be relieved from any duty that this officer would like to perform, provided you think it as well for the service.

We have the honor to be, very respectfully, your obedient servants,

A. S. DIVEN,
Acting Assistant Provost-Marshal-General.
FREDK. TOWNSEND,
Major, U. S. Army, Acting Assistant Provost-Marshal-General.

BALTIMORE, *October 13, 1863.*

ADJUTANT-GENERAL U. S. ARMY:

SIR: On the 1st instant I received a telegram in the following words:

Colonel BIRNEY:

Take care of colored troops in your charge, but do nothing further about that branch of affairs until further orders. Particularly do nothing about General Vickers, of Kent County.

A. LINCOLN,

In obedience to this order I immediately ceased raising colored troops and have done nothing since. The part of the order relating to General Vickers was probably sent me from wrong information, as I had no knowledge of the general, or any intention of taking action in regard to him, having in fact ceased all operations in Kent County prior to the receipt of the telegram. I have made inquiry since and find that the general in question was formerly a noisy constitutional Union man, but has recently, and on the slave question, become a virulent enemy of the Government and associate with known secessionists; that he proposed to two secessionists to raise a mob at Chestertown and burn the small Government steamer employed for the transportation of recruits for the U. S. colored troops; and that he was busy and officious in advising masters of slaves to offer armed resistance to the recruiting officers. There is but one other man, Judge Carmichael, residing on the Eastern Shore, who is so vindictive and dangerous an enemy to the Government. They are, I am happy to say, not sustained by the mass of the population, which earnestly desires the enlistment of the negro, especially the slaves. My officers went unarmed and alone through nearly every county in the central part of the Eastern Shore, and everywhere received aid and sympathy from the people, except the rebel sympathizers among the slave-owners and except a few politicians.

Your obedient servant,

WILLIAM BIRNEY,
Colonel Second U. S. Colored Troops and Mustering Officer.

HEADQUARTERS DEPARTMENT OF THE NORTHWEST,
Milwaukee, Wis., October 13, 1863.

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to acknowledge the receipt of your letter of the 7th instant in relation to the draft and the raising of volunteers in this State.

You may confidently rely upon my cordial co-operation with yourself and the officers of your department in all matters pertaining to the thorough discharge of our respective duties.

I regret much that you consider it necessary or expedient to remove Lieutenant-Colonel Lovell to Madison, and respectfully request that you will reconsider this determination.

At your distance from this region it is probable that you do not entirely appreciate the exact condition of things in this State, nor what I conceive to be the very great expediency of having the provost-marshal-general of this State at the headquarters of this military department, where he can be in daily communication with the department commander. Much difficulty and trouble have already been avoided by this free and daily intercourse.

Aside from this, Milwaukee is the great center of the railroad and telegraphic system of the State, and communication with all parts of it is more direct and speedy than with any other points. I think it very desirable on all accounts that the headquarters of the assistant provost-marshal-general for this State be retained at Milwaukee, and I hope you will on further consideration find it judicious to retain Colonel Lovell here.

I also wish to invite your attention to Colonel Lovell's letter in relation to a communication direct to you from Provost-Marshal Tillapaugh, of this district.

You have misunderstood and he has misstated the effect of my Order No. 36, as you will see from Colonel Lovell's letter. I need not say that the last purpose in my mind is to interfere in the slightest degree with the operations of your department in this State.

So far from wishing to obstruct the provost-marshals in the discharge of their duty, my object has been the exact opposite, and results, if you had leisure to acquaint yourself thoroughly with them, would satisfy you that the ease and safety with which this duty has been discharged has been largely owing to the measures adopted by the military authorities. These measures before being put into operation have been referred to Colonel Lovell, and nothing has been done which did not meet with his cordial concurrence.

I have written to the General-in-Chief very fully on the subject of my Order No. 36,* and the objection thereto contained in Captain Tillapaugh's letter. I presume that that letter to the General-in-Chief will be furnished for your information, and I request for it some careful consideration.

I am, colonel, respectfully, your obedient servant,

JNO. POPE,
Major-General, Commanding.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 14, 1863.

His Excellency A. W. BRADFORD,
Governor of the State of Maryland, Annapolis:

SIR: I have the honor to acknowledge the receipt of your letter of the 10th instant. The assignment of the number of men to be furnished by the several districts by draft is made by the President in pursuance of the twelfth section of the act of March 3, 1863, "for enrolling and calling out the national forces," &c. For the current draft one-fifth of the number enrolled in class one in the several districts has been fixed by him as the proportional part to be furnished. The numbers of class one enrolled in the first three districts of Maryland are, severally, 13,936, 11,492, and 14,664, and the quotas, severally, 2,787, 2,298, and 2,933.

In pursuance of the last clause of the section of the law just referred to the President has directed that the number of troops furnished by States in excess of all previous calls upon them should be deducted from the quota or one-fifth of the number enrolled in class one, and the draft be made in such States for the remainder.

By a return from the office of the Adjutant-General, dated June 30, 1863, it appears that the State of Maryland was at that date deficient, upon the calls of 1861 and 1862, to the extent of 13,803 men. Thirty-six hundred (some of them being six-months' men, and counting but one-sixth each in determining the amount of credit to be allowed) have since been mustered in, but these, with all the colored troops raised, do not cover the existing deficiency; and this deficiency, you will observe, is not charged to the State nor any district in the present assignment of quotas.

From the progress made in raising recruits, whether white or colored, I should think there was not much probability of the State making up her deficiency very soon.

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*For which, see Series I, Vol. XXII, Part II, p. 529.

The attempt to credit particular towns and counties for volunteers heretofore raised has been fully tried by other States and abandoned as entirely impracticable.

The accounts of volunteers furnished were kept only with States, and any attempt at this time on the part of the General Government to assign its quotas in accordance with the claims of towns and counties for men heretofore furnished would lead to inextricable confusion. I state this after having made an earnest effort so to assign quotas in other States where the records of men furnished have been kept with fair accuracy.

I have the honor to be, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

ALBANY, *October 14, 1863.*

Col. J. B. FRY,
Provost-Marshal-General:

I have to beg of you to use your influence with the Secretary of War to persuade him to telegraph the Governor direct to forward troops. The orders to mustering officers seem to me disrespectful to the State, and are very annoying to the Governor. The good of the service alone induces me to make this request.

J. B. STONEHOUSE,
Major, &c.

OFFICE OF CAVALRY BUREAU,
Washington, D. C., October 15, 1863.

Honorable SECRETARY OF WAR:

SIR: I have the honor to submit a report of the operations of the Cavalry Bureau from its organization up to this date:

On the 31st day of July, 1863, I received a copy of General Orders, No. 236, from the War Department, establishing a bureau to be designated as the Cavalry Bureau, and on the 1st of August I was furnished with a copy of General Orders, No. 237, from the War Department, designating me as its chief.

A few days afterward the Secretary of War, in a consultation he had with the General-in-Chief, the Quartermaster-General, and myself, decided several questions which had arisen, and amongst them it was decided that the Quartermaster-General should continue to furnish the Army with horses until the chief of cavalry should notify him that the Cavalry Bureau was able and ready to take this duty upon itself. Another was the establishment of a cavalry depot, capable of accommodating from 10,000 to 12,000 horses, sick and well, at some point on the Eastern Branch of the Potomac River, and between the mouth of the Eastern Branch and Fort Washington. I proceeded at once to make a very thorough examination of the country between these two points, and selected a place called Giesborough Point, on the south bank of the Eastern Branch, and at its confluence with the Potomac River. This selection was approved by the General-in-Chief, the Quartermaster-General, and by the War Department, and immediate steps were taken to commence its construction.

The location is considered an admirable one in every respect, being easy of access by land and water transportation, and one to which horses and supplies of all kinds can be brought, and from which they can be sent in any direction with the greatest facility.

The channel of the Potomac at this point runs nearer the shore than at any other place for many miles below, thus requiring less wharfage than at any other point. Being within the line of the defenses of Washington renders it free from a liability to be surprised or attacked by the enemy, and requires no guard for its protection other than that required at all times for the defense of the other depots at and in the vicinity of the capital of the country, and is, besides, near enough to Washington to be under the immediate supervision and control of the head of the Cavalry Bureau.

Its topographical features admirably adapt it to the purpose to which it has been applied, being ground gently sloping to the west and southwest, in extent ample for all purposes; soil, a mixture of sand and gravel, with an abundance of good water, either from the Potomac River, which runs on the north and west sides, or from the large stream of very pure spring water running on the east side, called Oxon Run.

A building having been secured on H street, No. 374, at a rent of $70 per month, in which to locate the office of the Cavalry Bureau, estimates were made for funds to start with; advertisements were inserted in the authorized newspapers for men and material, and the work at once begun, and, all things considered, such as the failure of contractors, the difficulty of procuring laborers, &c., has progressed up to this time with unusual rapidity.

In connection with this depot is a dismounted camp where all new regiments of cavalry can be sent to be mounted, armed, accoutered, and equipped, and to which men of the old regiments are sent to be refitted and again sent to the field.

Measures will be taken, as soon as store room can be constructed at the cavalry depot, to get on hand an amount of forage sufficient to guard against the contingency of the Potomac River being closed by ice during the coming winter.

My assistants in the Bureau are Lieut. Col. C. G. Sawtelle, chief quartermaster; Lieut. A. J. Alexander, in charge of records, returns, reports, details, &c., and Capt. William R. Price, in charge of issues of ordnance and ordnance stores—all officers of experience in the field, as well as thoroughly acquainted with the duties with which they are intrusted.

There are stables and barracks at Saint Louis, Mo., capable of holding from 10,000 to 12,000 men and horses, which are not now required for other purposes and which are to be turned over to the Cavalry Bureau for a cavalry depot in the West. It is thought that these two general depots, with temporary structures for the accommodation of 4,000 or 5,000 horses, at either Louisville, Indianapolis, or Columbus, Ohio, will satisfy the wants and requirements of the cavalry arm of the service. I should recommend the erection of the last.

I should recommend that the contract system be dispensed with as far as consistent with the public interest, and that most of the purchases be made in open market and first hands.

In order that owners of horses may derive the most benefit from this system of purchase in open market, and at the same time the Government be enabled to get at all the horses in the country without the necessity of increasing the number of agents too largely, the same agent can be assigned to different points in his district or region, spending a limited time at each point, due notification being given to all concerned of such an arrangement. These points should be located on main avenues of land or water transportation, and the horses shipped or sent to depots as fast as they are purchased.

Horses are now being purchased on contract at Washington, Chicago, and Saint Louis, Mo. At other points—viz, Augusta, Me.; Boston, Mass.; New York City, Albany, Rochester, and Buffalo, N. Y.; Pittsburg, Pa.; Columbus, Ohio; Detroit, Mich.; Madison, Wis.; and Clarksburg, W. Va.—they are bought in open market, due public notice having been given in each case to all concerned.

The price of horses varies from $120 to $145 per head, being cheaper in the Western than in the Eastern States.

As an illustration of the benefit which will accrue to the Government in an economical point of view by the establishment of cavalry depots, I beg leave to state the following facts: After the battle of Gettysburg there were collected at and in the vicinity of Fredericksburg about 5,500 horses. Out of this number less than 2,000 are remaining alive, 1,000 of which have been returned to duty in the field. Of the 3,500 horses, the portion of this 5,500, which have since the 10th of July died, strayed, or been stolen, I venture to say enough might have been saved to the Government to have more than paid for the erection of stables at the cavalry depot at Giesborough Point, and which will accommodate 10,000 horses, sick and well.

The number of unserviceable cavalry horses on hand at and in the vicinity of Washington is upward of 16,000, the larger proportion of which can, with proper care and treatment, be again made fit for service in the field.

One great want felt by the cavalry service is the deficiency of veterinary talent in the country, and the impossibility of obtaining what little there is for the compensation now allowed by the Government.

The condition of the cavalry force throughout the country is reported upon, as a general thing, favorably.

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The total amount of money received by the Cavalry Bureau up to October 15 is	$1,400,000.00
Of which there has been expended, as per Exhibit C	949,364.57
The total number of horses offered on contracts up to October 15	145,195
Total number accepted on contracts	30,950
Number received from contractors and bought in open market	6,562

Respectfully submitted.

GEORGE STONEMAN,
Major-General of Volunteers and Chief of Cavalry.

Names of officers on duty in Cavalry Bureau.

Names.	Rank.	Station.	Remarks.
H. A. Du Puy	Captain	Washington, D. C	Assistant quartermaster.
Fielding Lowry	do	Pittsburg, Pa	Do.
C. E. Fuller	do	Buffalo, N. Y	Do.
G. W. Lee	do	Detroit, Mich	Do.
James A. Ekin	do	Indianapolis, Ind	Do.
R. Brinkerhoff	do	Augusta, Me	Do.
J. A. Potter	do	Chicago, Ill	Do.
Ingham Coryell	do	Saint Louis, Mo	Do.
T. J. Barr	do	New York	Do.
Edward Ball	Lieutenant	Giesborough Point, D. C	Actg. asst. quartermaster.
W. H. Turner	Major	do	Inspector of horses.
B. Ellis	Lieutenant	do	Do.
William Gamble	Colonel	Chicago, Ill	Do.
M. H. Wing	First lieutenant	do	Do.
Samuel McKee	Captain	Syracuse, N. Y	Do.
J. R. Drenner	do	do	Do.
J. B. Smith	First lieutenant	do	Do.
John Green	Captain	Indianapolis, Ind	Do.
B. Q. A. Gresham	do	do	Do.
E. M. Baker	do	Pittsburg, Pa	Do.
A. H. Bixby	do	do	Do.

SPECIAL ORDERS, No. 462. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, October 15, 1863.*

* * * * * * *

31. Brig. Gen. F. B. Spinola, U. S. Volunteers, is hereby detailed for duty on recruiting service, and will station himself at Brooklyn, N. Y. He will be governed by such instructions as may be given him by the Provost-Marshal-General of the United States.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, October 15, 1863.

Ordered, That the provisions of the order* in respect to enlisting colored troops be, and they are hereby, extended to the counties of Accomac and Northampton, Va.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

STATE HOUSE,
Augusta, Me., October 15, 1863—2.30 p. m.

Col. J. B. FRY:

Secretary of War requested me to raise three veteran regiments, which I am doing successfully. Am exceedingly sorry to learn that the efforts and means of the Department devoted entirely to filling old regiments, and you expect me to facilitate that to the exclusion of everything else. This seems to leave the veteran regiments abandoned by the Department, and must in that event prove a disgrace to the State and particularly to myself. It grieves me much to be thus placed. Senator Morrill goes to Washington to-morrow. Hope matters will be satisfactorily arranged for the good of the service.

ABNER COBURN,
Governor of Maine.

GENERAL ORDERS, No. 338. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, October 16, 1863.*

The time for enlisting recruits in the Regular Army under the provisions of General Orders, No. 190, of June 25, 1863, is hereby extended to December 1, 1863, during which the extra bounty of $300 will be paid.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

INDIANAPOLIS, *October 17, 1863.*

Col. J. B. FRY:

Since election is over recruiting is going on briskly. Governor Morton and Adjutant-General Noble think the regiments can be raised.

CONRAD BAKER,
Colonel and Acting Assistant Provost-Marshal-General.

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*See General Orders, No. 329, Adjutant-General's Office, October 3, 1863, p. 860.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 17, 1863.

His Excellency ABNER COBURN,
Governor of the State of Maine:

SIR: I have the honor to acknowledge the receipt of your telegram of the 15th instant on the subject of granting the same bounty to recruits for new regiments as is granted to recruits for old regiments. The subject presented has been under consideration, and my views upon it are contained in a report, a copy of which is inclosed.

I sincerely hope that Your Excellency will heartily aid in the effort to fill up and thus preserve the organization of the old regiments, even at the sacrifice of the local interests involved in the raising of new ones. By filling up the old regiments the present Army will be kept in existence; the tried and experienced officers now in it can next year be recommissioned; the recruits now put in will by that time become good soldiers, and next year, notwithstanding the times of men now in expire, the same regiments will continue on. The system of raising new and disbanding old regiments is exceedingly injurious to military interests, and is calculated to keep us forever at disadvantage with an enemy who pursues the opposite and wiser policy. Nothing can now be better for the public interests than for the State and General Government to work harmoniously together in devoting this the most favorable recruiting season to raising men to swell the regiments now doing regimental duty with but a quarter or a third of the requisite numbers.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

[Inclosure.]

The enrollment act contemplates the raising of recruits for old organizations. (Sec. 34.)

All persons drafted under the provisions of this act shall be assigned by the President to military duty in such corps, regiments, or other branches of the service as the exigencies of the service may require.

The money offered as additional bounty for recruits for old organizations is that paid under the act by drafted men for the procuration of substitutes, and the men raised by this money should go to the same general purposes as those drafted; that is, to old organizations. There is probably no doubt in the mind of any military man but that "the exigencies of the service" require that the old organizations be filled in preference to the new ones. A recruit in an old regiment is worth two or three in a new one. The interests of the General Government absolutely require recruits for old regiments. The true interests of States lie in the same direction. It is far more honorable to the State to fill up and preserve the existence of a decimated, battle-stained, honored regiment than to let it waste away and die, while the energies of those to whom it trusts at home are devoted to creating new organizations, which, if completed, will not be worth one-fourth as much as the old ones would be with the same care. And further than this, it is unjust to the individual officers and men of the old regiments to abandon them to the consolidation, discharge, or, for want of recruits, to the increased daily labor and danger which necessarily results from their depleted ranks. In the field details for picket duty and other hard and dangerous service are made by regiments,

and if a regiment is reduced in numbers the men remaining have increased labor. There is a limited amount of money raised by the draft to be bestowed in bounties for procuring recruits. This money is not sufficient to procure recruits for the large number of incomplete new organizations scattered through the United States, and also procure recruits for old regiments. If it is used for the former purpose it cannot be for the latter. Should the regiments in the States or the regiments in the field have the benefit of it? There would be but or voice from the Army on this question. It is to be remarked that the bounty for veterans is not touched by the late orders, and the veteran regiments, as the authority was originally granted, are not affected. The additional time and the additional latitude subsequently granted to take raw men into veteran regiments creates the claim now made that these raw men have increased bounty. If granted, another additional claim would doubtless soon follow, that all the raw men heretofore enlisted and now in any of the new and incomplete organizations throughout the United States should be paid the increased bounty for having gone into these new regiments. These applications have been made by several other States and have been declined (Michigan, Massachusetts, and others). The reasons given for them by the different States do not seem to be strong in themselves. In the case of Vermont, they have up to this time raised only between 200 and 300 men, and it is on account of these men that the request is made to have the plan of recruiting for old regiments abandoned, for that is what the request must, if granted, result in. In Maine they have commenced to raise two or three regiments. The case is quite similar in other States. It would be far better for the military purposes of the Government even to lose the services of these men than to abandon all chances of getting recruits for old regiments. But there is no reason why any veteran regiment should be lost. Let it go on filling up with veterans, and if there is more than one such regiment in process of organization, and if consolidation finally becomes necessary, let it be made. It is better to consolidate the new fragments at home than the old regiments in the face of the enemy. The co-operation of the State authorities alone is, in my opinion, necessary to raise many thousand recruits for old regiments during the next six weeks, and I most earnestly hope that it may not be wanting.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 17, 1863.

His Excellency J. GREGORY SMITH,
Governor of Vermont, Montpelier, Vt.:

SIR: I have the honor to acknowledge the receipt of your letter of October 12 by Mr. Holbrook, who also presented a letter from your adjutant-general on the subject of granting the same bounty to recruits for new regiments as is granted to recruits for old regiments. The subject presented had been under consideration, and my views upon it are contained in a report, a copy of which is inclosed.* I sincerely hope that Your Excellency will heartily aid in the effort to fill up and thus preserve the organization of the old regiments, even at the sacrifice of local interests involved in the raising of new ones. By filling up the old regiments the present Army will be kept in

*See inclosure to communication from Fry to Coburn, next *ante*.

existence; the tried and experienced officers now in it can next year be recommissioned; the recruits now put in will by that time become good soldiers, and next year, notwithstanding the times of men now in expire, the same regiments will continue on. The system of raising new and disbanding old regiments is exceedingly injurious to military interests, and is calculated to keep us forever at disadvantage with an enemy who pursues the opposite and wiser policy. Nothing can now be better for the public interests than for the State and General Government to work harmoniously together in devoting this the most favorable recruiting season to raising men to swell the old regiments now doing full regimental duty with but a quarter or a third of the requisite numbers.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

P. S.—Since writing the above your communication of the 12th instant to the Secretary of War upon this subject has been referred to me. The matters as therein contained I believe to be fully answered in this letter.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 18, 1863.

His Excellency ABNER COBURN,
Governor of Maine, Augusta, Me.:

SIR: I have the honor to inform you that Maine's quota of the 300,000 volunteers called for by the President's proclamation of the 17th instant* is as follows: First District, 1,736; Second District, 1,244; Third District, 1,667; Fourth District, 1,388; Fifth District, 1,546; total, 7,581.

This quota is the proportion of the 300,000 men which Maine should furnish, according to the number of men of the first class enrolled in that State, and without any regard to the quota assigned her for the present draft, or the number of men obtained under that draft, and without regard to any deficiency she may have had under the calls for volunteers previous to the assignment of quotas for the present draft.

The quota of Maine for the present draft was as follows: To First District, 2,458; to Second District, 1,762; to Third District, 2,360; to Fourth District, 1,955; to Fifth District, 2,190; total, 10,725. Up to the 17th instant the number obtained on these quotas was as follows: First District, 650; Second District, 1,117; Third District, 1,170; Fourth District, 898; Fifth District, 1,136; total obtained, 4,971, leaving on present draft as made up on the 17th instant a deficiency of 5,754. On all calls previous to the present draft the deficiency of Maine was 6,649; total deficiency, 12,403. The total quota, therefore, of Maine for the next draft, in case another is rendered necessary by a failure to raise volunteers, as it appears from the records up to the 17th instant, would be 7,581, the quota of 300,000 herein assigned, and the deficiencies up to the date specified, that is, 12,403; total quota, 19,984.

But this total deficiency (12,403) will of course be reduced by all held to service under the present draft, after the 17th instant, and by all volunteers not heretofore credited, as well as by all the State may

* Announced in General Orders, No. 340, October 19, p. 892.

raise in excess of 7,581, her quota of 300,000 as called for by the President's proclamation. If Your Excellency thinks best to subdivide the quotas herein assigned to Congressional districts and allot proportional parts to smaller subdivisions of your State, I would suggest that for harmonizing the subject of credits in drafts hereafter you regard the enrollment of the first class made by this Bureau as the basis of assignment.

The provost-marshal-general of your State and the boards of enrollment in the different districts will give you all the aid in their power in this and all other matters connected with raising troops.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 18, 1863.

His Excellency J. A. GILMORE,
Governor of New Hampshire, Concord, N. H.:

SIR: I have the honor to inform you that New Hampshire's quota of the 300,000 volunteers called for by the President's proclamation of the 17th instant is as follows: First District, 1,390; Second District, 1,129; Third District, 1,249; total, 3,768. This quota is the proportion of 300,000 men which New Hampshire should furnish, according to the number of men of the first class enrolled in that State, and without any regard to the quota assigned her for the present draft, or the number of men obtained under that draft, and without regard to any deficiency she may have had under the calls for volunteers previous to the assignment of quotas for the present draft.

The quota of New Hampshire for the present draft was as follows: First District, 1,968; Second District, 1,599; Third District, 1,769; total, 5,336.

Up to the 17th instant the number obtained on these quotas was as follows: First District, 831; Second District, 512; Third District, 434; total obtained, 1,777, leaving on present draft as made up to the 17th instant a deficiency of 3,559. On all calls previous to the present draft the deficiency of New Hampshire was 388; total deficiency, 3,947.

The total quota, therefore, of New Hampshire for the next draft, in case another is rendered necessary by a failure to raise volunteers, as it appears from records up to the 17th instant, would be 3,768, the quota of 300,000 herein assigned, and the deficiencies up to the date specified, that is, 3,947; total quota, 7,715. But this total deficiency (3,947) will of course be reduced by all held to service under the present draft after the 17th instant, and by all volunteers not heretofore credited, as well as by all the State may raise in excess of 3,768, her quota of 300,000 as called for by the President's proclamation.

If Your Excellency thinks best to subdivide the quotas herein assigned to Congressional districts, and allot proportional parts to smaller subdivisions of your State, I would suggest that for harmonizing the subject of credits in drafts hereafter you regard the enrollment of the first class made by this Bureau as the basis of assignment. The provost-marshal-general of your State and the boards of enrollment in the different districts will give you all the aid in their power in this and all other matters connected with raising troops.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

GENERAL ORDERS, No. 340. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, October 19, 1863.*

The following is a proclamation by the President calling for 300,000 volunteers:

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

Whereas, the term of service of a part of the volunteer forces of the United States will expire during the coming year; and whereas, in addition to the men raised by the present draft, it is deemed expedient to call out three hundred thousand volunteers to serve for three years or the war, not, however, exceeding three years:

Now, therefore, I, Abraham Lincoln, President of the United States and Commander-in-Chief of the Army and Navy thereof, and of the militia of the several States when called into actual service, do issue this my proclamation, calling upon the Governors of the different States to raise and have enlisted into the United States service, for the various companies and regiments in the field from their respective States, their quotas of three hundred thousand men.

I further proclaim that all volunteers thus called out and duly enlisted shall receive advance pay, premium, and bounty, as heretofore communicated to the Governors of States by the War Department, through the Provost-Marshal-General's Office, by special letters.

I further proclaim that all volunteers received under this call, as well as all others not heretofore credited, shall be duly credited on and deducted from the quotas established for the next draft.

I further proclaim that if any State shall fail to raise the quota assigned to it by the War Department under this call, then a draft for the deficiency in said quota shall be made on said State, or on the districts of said State, for their due proportion of said quota; and the said draft shall commence on the fifth day of January, one thousand eight hundred and sixty-four.

And I further proclaim that nothing in this proclamation shall interfere with existing orders, or those which may be issued, for the present draft in the States where it is now in progress or where it has not yet commenced.

The quotas of the States and districts will be assigned by the War Department, through the Provost-Marshal-General's Office, due regard being had for the men heretofore furnished, whether by volunteering or drafting, and the recruiting will be conducted in accordance with such instructions as have been or may be issued by that Department.

In issuing this proclamation, I address myself not only to the Governors of the several States, but also to the good and loyal people thereof, invoking them to lend their willing, cheerful, and effective aid to the measures thus adopted, with a view to re-enforce our victorious armies now in the field, and bring our needful military operations to a prosperous end, thus closing forever the fountains of sedition and civil war.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this seventeenth day of October, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States the eighty-eighth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 345. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, October 19, 1863.*

The $100 bounty due at expiration of enlistment will be paid by paymasters to veteran volunteers re-enlisting upon the usual discharge papers from their first enlistment.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR } WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
No. 94. } *Washington, October 19, 1863.*

The attention of provost-marshals is especially called to the provisions of paragraph 37, Regulations for the Government of the Bureau of the Provost-Marshal-General of the United States.

When a man, arrested as a deserter by the officers or employés of this Bureau, claims that he is not a deserter, by reason of having been discharged from the service, or of never having been in the army, he shall not be forwarded from the provost-marshal's headquarters to any military post until he shall have been afforded a fair and ample opportunity to present proof in support of his claim.

It is made the special duty of provost-marshals to investigate all such cases carefully, thoroughly, and promptly. Evidence with regard to them can usually be obtained from official records, upon application direct to the Provost-Marshal-General.

In all doubtful cases the matter shall be at once reported to the acting assistant provost-marshal-general of the State for his orders as to holding or discharging the man.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 19, 1863.

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: I have the honor to report for your information certain general facts connected with the draft as shown by reports made up to this time.

The machinery for executing the enrollment act is in complete working order. The law as it stands cannot be made to develop the entire military strength of the Nation, and the execution of it has been rendered exceedingly difficult by the efforts made in various ways to resist or evade it or to escape from its operation. Its fruits, therefore, are not as abundant as they will be from a perfected law and more thoroughly established system of executing it. All the advantages, however, which could reasonably have been expected from the law are accruing.

Its general principles distribute the burdens of military service fairly among those liable to bear them, but there is perhaps more generosity than justness in some of its humane provisions. With certain modifications, which can readily be made by Congress, the military strength of the country may by the direct and indirect operation of this act be surely and cheaply brought into the field.

Several of the Western States have not been subjected to the present draft on account of the excess of volunteers heretofore furnished, and from the same cause the quotas in other Western States are rendered quite small; the present draft is therefore but a partial one, and no specific total was established as the quota for it.

Of those drawn in the present draft, including the 50 per cent. additional, over 80 per cent. have reported in accordance with the orders of the boards. Of the 20 per cent. who have not reported many are not willful deserters, being unavoidably absent, at sea, and the like. The deserters are being arrested.

Of all examined, about 30 per cent. have been exempted on account of physical disability; about 30 per cent. have been exempted under

the provisions of the second section of the act, or found not liable to military duty on account of alienage, unsuitableness of age, non-residence, &c. Those who are not liable to military duty and form no part of the national forces, and therefore have been erroneously enrolled, appear in the general reports of the boards among those exempted because their non-liability to serve could not be established until they came before the boards. The number of exemptions is thus made to appear much larger than it really is.

About 40 per cent. of the men examined have been held to service, and have either entered the Army in person, furnished substitutes, or paid commutation. About one-half of those held to service have paid commutation; of the remainder, about one-third have gone in person and two-thirds have furnished substitutes, and all, except a few in transit and a small proportion of deserters from among the earlier substitutes accepted, are in the ranks of their regiments in front of the enemy. It is fair to suppose that most of those who willfully fail to report and thus become deserters are physically fit for service. If they had been examined the proportion exempted for physical disability would have been reduced to about 25 per cent. The proportion of exemptions would be still further reduced by purging the enrollment lists before the draft of all cases of manifest unfitness and of aliens and others not liable to military duty, as may be done where this system of raising troops is well established.

The proportions above given are based upon the reports up to this time from the seventy-three Congressional districts where the draft has been completed, or has most nearly approached completion. Since the present rebellion began about 200,000 soldiers after entering service have been discharged on surgeon's certificate of disability. It is probable that at least one-half of them were unfit for service when received. It may be safely said that forty millions of money has been uselessly expended in bringing them into the field, to say nothing of their subsequent expense to the Government.

In Great Britain under the system of voluntary enlistments the rejections average over 27 per cent. In France, from 1831 to 1842, the average number of exemptions annually was 94,860, so that to secure the contingent of 80,000 men 174,860 conscripts were annually examined. Of the recruits who presented themselves for enlistment in our Regular Army in 1862 70 per cent. were rejected for physical infirmities, exclusive of age or stature. Between 1st of January and 1st of July last more than one-half were rejected. These were men who desired to be accepted. These proportions are of interest in connection with the fact that less than one-third of the drafted men who desire not to be accepted have been exempted on account of physical unfitness. There have been but few cases of incompetency, fraud, neglect, or abuse in the examination of drafted men. These men have, however, in many ways been swindled by rogues having no connection with the boards of enrollment, as, for example, the fact that certain drafted men were physically unfit for service has become known to these sharpers, when it was perhaps not known to the men themselves, and they have so far imposed upon the ignorance or credulity of the drafted men as to get from them sums of money to secure an exemption to which the rogues knew they were entitled and would surely receive, and the drafted men, finding themselves exempted as promised, have sometimes thought and given out that they secured exemption by bribery of drafting officers, whereas they were legally entitled to exemption and have themselves been swindled by sharpers.

All has been done that seemed proper under existing laws to check these evils and to meet properly the few cases of criminality and incompetency which have occurred among the officers of this Bureau.

All the expenditures up to this time on account of this Bureau, including the enrollment, draft, and pay of officers, and persons connected with it, are but little over $1,200,000. These expenditures include all made on account of the machinery which has produced the arrest and return of 20,000 deserters.

The amount of money received from the draft up to this date is about ten times as great as all the expenses incurred on account of the enrollment act. Those resulting from the New York riots are not, however, included in this statement, as they are more properly attributable to other causes and other persons than to the draft or to the officers of this Bureau.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., October 19, 1863.

Col. WILLIAM BIRNEY,
Second U. S. Colored Troops,
Recruiting and Mustering Officer, Baltimore, Md.:

COLONEL: By direction of the Secretary of War there will be forwarded to you this day twenty copies of the Regulations for the Recruiting Service of the Army of the United States, a copy of which will be placed in the hands of each recruiting officer for colored troops.

The order announcing the opening of recruiting stations will be published as soon as possible.

In order to be ready to commence operations you should immediately make requisition on the Adjutant-General of the Army for a reasonable supply of enlistment papers, and also for descriptive lists, as each owner who offers his slave for enlistment is to be furnished with a descriptive list of such slave after he has been duly enlisted.

The owner who voluntarily offers his slave for enlistment will, after said slave has been duly enlisted, be furnished by the recruiting officer with a certificate to show that his slave has been duly enlisted, &c.

This certificate must be countersigned by the examining surgeon and by yourself as mustering officer. The necessary blank certificates are being prepared by the printer, and will be sent to you to put in the hands of recruiting officers as early as practicable.

I have the honor to be, &c.,

C. W. FOSTER,
Assistant Adjutant-General.

CINCINNATI, *October 19, 1863.*

Maj. Gen. U. S. GRANT,
Vicksburg:

GENERAL: I have received from you a copy of your letter to the Secretary of the Treasury, dated 26th ultimo, concerning trade within your department.

I am exceedingly glad your views are modified. They now correspond with those of the Secretary. Trade should be prohibited entirely or re-established with such restrictions only as are necessary

to prevent interference with your military operations and the giving of supplies to the enemy. Much dissatisfaction was felt by many of our really loyal citizens that under the rule adopted prohibiting them from going to such places as you should indicate throughout your department to purchase cotton or other products, the profits of such trade would be thrown into the hands of speculators residing within those States. I think there is force in the complaint. Inclosed herewith I send you a copy of the regulations of the Secretary of the Treasury,* and call your attention to Regulation IX. Under this the "trade district" in your department, if I understand your letter correctly, will embrace all that country within your lines as indicated to me in our interview. No trade in selling will be authorized, except as provided in Regulations XIV and XV, and none for buying except under XX and XXI.

In granting authority for trade stores, or for purchasing products within your department, I will not authorize a store nor the purchasing of products at any place therein except such as you shall indicate as unobjectionable for that purpose.

I shall in all cases be as careful as possible that all parties to whom I give authority to buy or sell are men of unquestioned loyalty, and of good standing as merchants, and shall require bonds in heavy penalty that they observe the terms of permits and of all military orders. Beyond this I cannot of course discriminate; that is to say, I cannot grant one and refuse another individual of the same class; nor can I discriminate between residents. But if you will order that none but American citizens by birth or naturalization be permitted to come to your department south of Memphis, it will keep out a great many men who have heretofore been mischievous, and I will then make that a test qualification. This it seems to me would be just, and would be acquiesced in cheerfully by the great body of the American people. A man who claims exemption from service to the country ought not to claim the privilege of those who are liable to such service. But our treaties prevent the civil authorities from making such distinction.

I will have a local special agent at every place indicated by you as a place for trade, to perform the duties under Regulations XVI and XVII.

Regulation XVIII will become useless unless there may be some case in which you particularly desire a store established under it.

Regulation XIX will authorize the persons therein named to bring their products either to any place where trade is authorized as above, or to any other market, and dispose of it for their own account.

My instructions to all local special agents will require that all permits for family supplies under Regulation XVI be given subject to being countersigned by the commander of the post or by such other party as he shall designate.

I will not grant any more authorities to trade than those named by you in our interview until I receive your reply to this. I hope, therefore, as the traders are very impatient of delay, you will answer as soon as you can, and name all such places within your department as you wish to be regarded as places of trade.

I understand from your letter that the number of traders at any place should not be restricted. If I am mistaken please correct me. Under the rules the aggregate amount of goods cannot exceed $2 per

* Omitted.

capita per month in any district exclusive of the articles named in Regulation XIII.

I shall try to see you again about the 25th instant, but hope to receive your reply to this before I leave here.

I am, very respectfully, your obedient servant,

WM. P. MELLEN,
Supervising Special Agent, Treasury Department.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 19, 1863.

His Excellency WILLIAM A. BUCKINGHAM,
Governor of Connecticut, Hartford, Conn.:

SIR: I have the honor to inform you that Connecticut's quota of the 300,000 volunteers called for by the President's proclamation of the 17th instant is as follows: First District, 1,527; Second District, 1,369; Third District, 1,108; Fourth District, 1,428; total, 5,432.

This quota is the proportion of 300,000 men which Connecticut should furnish, according to the number of the first class enrolled in that State, and without any regard to the quota assigned her for the present draft, or the number of men obtained under that draft, and without regard to any deficiency she may have had under the calls for volunteers previous to the assignment of quotas for the present draft.

The quota of Connecticut for the present draft was as follows: First District, 2,162; Second District, 1,939; Third District, 1,569; Fourth District, 2,021; total, 7,691.

Up to the 17th instant the number obtained on these quotas was as follows: First District, 749; Second District, 614; Third District, 624; Fourth District, 521; total obtained, 2,508, leaving on present draft as made up to the 17th instant a deficiency of 5,183. On all calls previous to the present draft the deficiency of Connecticut was 1,748; total deficiency, 6,931. The total quota, therefore, of Connecticut for the next draft, in case another is rendered necessary by a failure to raise volunteers, as it appears from records up to the 17th instant, would be 5,432, the quota of 300,000 herein assigned, and the deficiencies up to date specified, that is, 6,931; total quota, 12,363.

But this total deficiency (6,931) will of course be reduced by all held to service under the present draft after the 17th instant, and by all volunteers not heretofore credited, as well as by all the State may raise in excess of 5,432, her quota of 300,000 as called for by the President's proclamation.

If Your Excellency thinks best to subdivide the quotas herein assigned to Congressional districts, and allot proportional parts to smaller subdivisions of your State, I would suggest that for harmonizing the subject of credits in drafts hereafter you regard the enrollment of the first class made by this Bureau as the basis of assignment.

The provost-marshal-general of your State and the boards of enrollment in the different districts will give you all the aid in their power in this and all other matters connected with raising troops.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 19, 1863.

His Excellency JOHN A. ANDREW,
Governor of Massachusetts, Boston, Mass.:

SIR: I have the honor to inform you that Massachusetts' quota of the 300,000 volunteers called for by the President's proclamation of the 17th instant is as follows: First District, 1,380; Second District, 1,349; Third District, 2,169; Fourth District, 1,976; Fifth District, 1,307; Sixth District, 1,276; Seventh District, 1,253; Eighth District, 1,375; Ninth District, 1,443; Tenth District, 1,598; total, 15,126.

This quota is the proportion of 300,000 men which Massachusetts should furnish, according to the number of men of the first class enrolled in that State, and without any regard to the quota assigned her for the present draft, or the number of men obtained under that draft, and without regard to any deficiency she may have had under the calls for volunteers previous to the assignment of quotas for the present draft. The quota of Massachusetts for the present draft was as follows: First District, 1,954; Second District, 1,910; Third District, 3,072; Fourth District, 2,798; Fifth District, 1,851; Sixth District, 1,806; Seventh District, 1,775; Eighth District, 1,948; Ninth District, 2,043; Tenth District, 2,263; total, 21,420.

Up to the 17th instant the number obtained on these quotas was as follows: First District, 442; Second District, 608; Third District, 655; Fourth District, 347; Fifth District, 641; Sixth District, 393; Seventh District, 727; Eighth District, 877; Ninth District (no report); Tenth District, 827; total obtained, 5,517, leaving on present draft as made up to the 17th instant a deficiency of 15,903. On all calls previous to the present draft the deficiency of Massachusetts was 6,301; total deficiency, 22,204. The total quota, therefore, of Massachusetts for the next draft, in case another is rendered necessary by a failure to raise volunteers, as it appears from records up to the 17th instant, would be 15,126, the quota of 300,000 herein assigned, and the deficiencies up to the date specified, that is, 22,204; total quota, 37,330.

But this total deficiency (22,204) will of course be reduced by all held to service under the present draft after the 17th instant, and by all volunteers not heretofore credited, as well as by all the State may raise in excess of 15,126, her quota of 300,000 as called for by the President's proclamation. If Your Excellency thinks best to subdivide the quotas herein assigned to Congressional districts, and allot proportional parts to smaller subdivisions of your State, I would suggest that for harmonizing the subject of credits in drafts hereafter you regard the enrollment of the first class made by this Bureau as the basis of assignment.

The provost-marshal-general of your State and the boards of enrollment in the different districts will give you all the aid in their power in this and all other matters connected with raising troops.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 19, 1863.

His Excellency FREDERICK HOLBROOK,
Governor of Vermont, Montpelier, Vt.:

SIR: I have the honor to inform you that Vermont's quota of 300,000 volunteers called for by the President's proclamation of the 17th

instant is as follows: First District, 1,063; Second District, 1,245; Third District, 1,022; total, 3,330.

This quota is the proportion of 300,000 men which Vermont should furnish, according to the number of men of the first class enrolled in that State, and without any regard to the quota assigned her for the present draft, or the number of men obtained under that draft, and without regard to any deficiency she may have had under the calls for volunteers previous to the assignment of quotas for the present draft. The quota of Vermont for the present draft was as follows: First District, 1,505; Second District, 1,763; Third District, 1,447; total, 4,715.

Up to the 17th instant the number obtained on these quotas was as follows: First District, 957; Second District, 1,115; Third District, 720; total obtained, 2,792, leaving on present draft as made up to the 17th instant a deficiency of 1,923. On all calls previous to the present draft the deficiency of Vermont was 630; total deficiency, 2,553.

The total quota, therefore, of Vermont for the next draft, in case another is rendered necessary by a failure to raise volunteers, as it appears from records up to the 17th instant, would be 3,330, the quota of 300,000 herein assigned, and the deficiencies up to the date specified, that is, 2,553; total quota, 5,883.

But this total deficiency (2,553) will of course be reduced by all held to service under the present draft after the 17th instant, and by all volunteers not heretofore credited, as well as by all the State may raise in excess of 3,330, her quota of 300,000 as called for by the President's proclamation.

If Your Excellency thinks best to subdivide the quotas herein assigned to Congressional districts, and allot proportional parts to smaller subdivisions of your State, I would suggest that for harmonizing the subject of credits in drafts hereafter you regard the enrollment of the first class made by this Bureau as the basis of assignment.

The provost-marshal-general of your State and the boards of enrollment in the different districts will give you all the aid in their power in this and all other matters connected with raising troops.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

CIRCULAR No. 95. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, October 20, 1863.*

Regiments now in service which re-enlist as veteran volunteers, under the provisions of General Orders, Nos. 191 and 305, current series, from the Adjutant-General's Office, will be credited to the States, and as far as practicable to the Congressional districts and sub-districts to which they belong.

JAMES B. FRY,
Provost-Marshal-General.

PROV. MAR.'S OFFICE, NINTH DISTRICT OF KENTUCKY,
Greenupsburg, October 20, 1863.

Maj. W. H. SIDELL,
Actg. Asst. Provost-Marshal-General, Louisville, Ky.:

MAJOR: As I wrote you on yesterday, I have just returned from an unsuccessful attempt to enroll Morgan County.

Lieutenant-Colonel Mullins, of the Fortieth Kentucky Mounted Infantry (in the absence of Colonel True), furnished all the mounted men he could spare from his command (about 100) to go with enrolling officers into Morgan County. They went on the expedition with great glee, but were bushwhacked from the time they entered the county till they returned. They succeeded in enrolling several precincts, but the enrolling officer lost his papers. He says he went to a house near the encampment for the purpose of arranging his papers at night, when John T. Williams, a notorious guerrilla of Morgan County, came in upon him, and he threw the papers into the fire to avoid suspicion. The captain of the company became convinced that his force was not sufficient, and being fearful [of] being surrounded and captured he determined to return. Upon the return two companies of Indianians were found at the Olympian Springs. An effort was made to get their assistance, but they refused, stating that they had enough of Morgan County; that they had themselves been driven from there but a few days before by bushwhackers.

The expedition returned without accomplishing anything toward the purpose they were sent out—with a few men slightly wounded and the loss of several horses killed. They killed three rebels, one said to be a major in the rebel service, a Mr. Conner, formerly a clerk of Bath County court; also brought out sixteen prisoners.

The Fortieth Kentucky Mounted Infantry is a new regiment recruited principally in this part of the State. They were stationed at Grayson in an adjoining county, but are now on their way to Mount Sterling and will reach there about to-morrow, where they expect to obtain their horses, and will be ready for immediate active duty. My deputy, J. Warren Smith, who has had experience in Pike, Floyd, and other rebel counties, will take a message to them requesting a sufficient force be sent to awe the rebellious county into submission.

I do not know who is to command the post at Mount Sterling, whether Colonel True or some other person. If you approve of the course, I hope you will also call upon them to render the necessary assistance. There is a force of Ohioans near Flemingsburg that might be made useful.

I am, very respectfully, your obedient servant,

W. C. GRIER,
Captain and Provost-Marshal.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 20, 1863.

Maj. J. W. T. GARDINER, U. S. Army,
Actg. Asst. Provost-Marshal-General, Augusta, Me.:

MAJOR: The Provost-Marshal-General directs me to say that by the term "old organizations" in his orders for raising recruits is to be understood those troops whose periods of service expire in 1864 or 1865. It is, however, the earnest desire of the Government to secure first recruits for the regiments whose time will expire in 1864; and while recruits for those whose terms expire in 1865 will be received and paid under the plan now in force, the Provost-Marshal-General desires that you do all you can to encourage the first enlistments for the first-mentioned organizations. Please call upon the State authorities, explain this, and request that they co-operate with you to this end.

You will also please instruct your provost-marshals to make the same reports of recruits enlisted and rejected as are now required by existing regulations for drafted men.

I am, major, very respectfully, your obedient servant,

HENRY STONE,
Assistant Adjutant-General.

BOSTON, *October 20, 1863.*

Col. J. B. FRY:

Into what organizations may our contingent of the new call enlist? Are any new regiments contemplated? Do not the bounties offered to raw recruits and veterans, respectively, in your recent circular apply? Do not recruiting officers receive some premiums? It is of great importance that our veteran regiments started on Department request should share all advantages of old regiments.

JOHN A. ANDREW,
Governor.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 20, 1863.

Maj. A. S. DIVEN, U. S. Army,
Actg. Asst. Provost-Marshal-General, Elmira, N. Y.:

MAJOR: I have received the communication of the 13th instant from yourself and Major Townsend, stating the result of an interview with His Excellency Governor Seymour and his quartermaster-general.

I hope you will commence to recruit as soon as possible. The proclamation of the President of the 17th instant explains the official status of the subject. If the State authorities and yourself think it best to pay premiums to every one, please let me know.

Circular No. 94 from this office places the responsibilities of seeing that no improper action is taken in relation to arresting men as deserters on the acting assistant provost-marshal-general, where it seems to me to properly belong, and I have not yet heard of any improper arrests in New York of the kind the Governor wishes to provide against. If, however, an evil of the kind feared should be found to arise in spite of the present precaution, I will then adopt the suggestions made or take some other steps to prevent it.

I see no advantage to the General Government, to the State, or to the recruit to arise from requiring the provost-marshals to turn over the clothing they have to the State quartermaster-general, to be issued by him; nor have I authority to make such a disposition of the property; nor do I see that any advantage would result from the abandonment of the present system in use by provost-marshals of transporting recruits, which thus far has proved entirely satisfactory.

I am, major, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 20, 1863.

His Excellency ANDREW G. CURTIN,
Governor of Pennsylvania, Harrisburg, Pa.:

SIR: I have the honor to inform you that Pennsylvania's quota of the 300,000 volunteers called for by the President's proclamation of the 17th instant is as follows:

First District, 1,469; Second District, 1,723; Third District, 2,129; Fourth District, 1,966; Fifth District, 1,405; Sixth District, 1,423; Seventh District, 1,337; Eighth District, 1,106; Ninth District, 1,470; Tenth District, 1,966; Eleventh District, 1,716; Twelfth District, 1,980; Thirteenth District, 1,264; Fourteenth District, 1,557; Fifteenth District, 1,629; Sixteenth District, 1,601; Seventeenth District, 1,402; Eighteenth District, 1,640; Nineteenth District, 1,595; Twentieth District, 1,836; Twenty-first District, 1,353; Twenty-second District, 1,915; Twenty-third District, 1,378; Twenty-fourth District, 1,408; total, 38,268.

This quota is the proportion of the 300,000 men which Pennsylvania should furnish, according to the number of men of the first class enrolled in that State, and without any regard to the quota assigned her for the present draft, or the number of men obtained under that draft, and without any regard to any deficiency she may have had under the calls for volunteers previous to the assignment of quotas for the present draft. The quota of Pennsylvania for the present draft was as follows: 2,080 to First District, 3,154 to Second District, 3,015 to Third District, 2,744 to Fourth District, 1,989 to Fifth District, 2,000 to Sixth District, 1,892 to Seventh District, 1,565 to Eighth District, 2,082 to Ninth District, 2,783 to Tenth District, 2,430 to Eleventh District, 2,803 to Twelfth District, 1,790 to Thirteenth District, 2,148 to Fourteenth District, 2,307 to Fifteenth District, 2,267 to Sixteenth District, 1,985 to Seventeenth District, 2,406 to Eighteenth District, 2,258 to Nineteenth District, 2,600 to Twentieth District, 1,915 to Twenty-first District, 2,712 to Twenty-second District, 1,951 to Twenty-third District, 1,995 to Twenty-fourth District; total, 54,871.

Up to the 17th instant the number obtained on these quotas was as follows: First District, 303; Second District, 546; Third District, 872; Fourth District, 688; Fifth District, 980; Sixth District, 1,052; Seventh District, 894; Eighth District, 660; Ninth District, 1,028; Tenth District, 100; Eleventh District, 368; Twelfth District (no report); Thirteenth District, 171; Fourteenth District, 513; Fifteenth District, 1,445; Sixteenth District, 529; Seventeenth District, 242; Eighteenth District, 748; Nineteenth District, 1,104; Twentieth District, 1,187; Twenty-first District, 1,315; Twenty-second District, 769; Twenty-third District, 1,214; Twenty-fourth District, 1,389; total obtained, 18,117, leaving on present draft, as made up to the 17th instant, a deficiency of 36,754.

On all calls previous to the present draft the deficiency of Pennsylvania was 16,071; total deficiency, 52,825.

The total quota, therefore, of Pennsylvania for the next draft, in case another is rendered necessary by a failure to raise sufficient volunteers, as it appears from the records up to the 17th instant, would be 38,268, the quota of 300,000 herein assigned, and the deficiencies up to the date specified, that is, 52,825; total quota, 91,093.

But this total deficiency (52,825) will of course be reduced by all held to service under the present draft after the 17th instant, and by

all volunteers not heretofore credited, as well as by all the State may raise in excess of 38,268, her quota of 300,000 as called for by the President's proclamation.

If Your Excellency thinks best to subdivide the quota herein assigned to Congressional districts, and allot proportional parts to smaller subdivisions of your State, I would suggest that for harmonizing the subject of credits in drafts hereafter you regard the enrollment of the first class made by this Bureau as the basis of assignment.

The provost-marshal-general of your State and the boards of enrollment in the different districts will give you all the aid in their power in this and all other matters connected with raising troops.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 20, 1863—12.10 p. m.

Hon. J. GREGORY SMITH,
Governor of Vermont, Montpelier, Vt.:

Your quota of 300,000 volunteers called for by the President, based on the enrollment of first class, is 3,331. This is exclusive of any deficiency you may have on present draft or former calls, and these will be considered only in case another draft is necessary in January.

Letter by mail.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 21, 1863.

His Excellency WILLIAM CANNON,
Governor of Delaware, Dover, Del.:

Your quota of 300,000 volunteers called for by the President, based on enrollment of the first class, is 1,156. This is exclusive of any deficiencies you may have on the present draft or former calls, and these will be considered only in case another draft is necessary in January.

Letter by mail.

JAMES B. FRY,
Provost-Marshal-General

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 21, 1863.

His Excellency RICHARD YATES,
Governor of Illinois, Springfield, Ill.:

SIR: I have the honor to inform you that Illinois' quota of the 300,000 volunteers called for by the President's proclamation of the 17th instant is as follows: First District, 3,184; Second District, 1,754; Third District, 1,922; Fourth District, 1,987; Fifth District, 2, 228; Sixth District, 2,010; Seventh District, 2,113; Eighth District, 2,373; Ninth District, 1,813; Tenth District, 2,327; Eleventh District, 1,928; Twelfth District, 2,355; total, 27,930.

Inasmuch, however, as there remains to the credit of Illinois 8,159 men, the surplus of her excess over all former calls as compared with

the quota due from her on the present draft, the quota named above (27,930), in case a draft is rendered necessary by a failure to raise volunteers, will be reduced by that number, 8,159—that is to say, to 19,771, which number, in reference to such draft, will be subject to a further reduction to the extent of all volunteers not hitherto credited, and such as may be raised in pursuance of the proclamation aforesaid.

If Your Excellency thinks best to subdivide the quotas herein assigned to Congressional districts, and allot proportional parts to smaller subdivisions of your State, I would suggest that for harmonizing the subject of credits hereafter you regard the enrollment of the first class made by this Bureau as the basis of assignment.

The provost-marshal-general of your State and the boards of enrollment in the several districts will give you all the aid in their power in this and all other matters connected with raising troops.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 21, 1863.

His Excellency SAMUEL J. KIRKWOOD,
Governor of Iowa, Iowa City, Iowa:

SIR: I have the honor to inform you that Iowa's quota of the 300,000 volunteers called for by the President's proclamation of the 17th instant is as follows: First District, 1,591; Second District, 1,704; Third District, 1,754; Fourth District, 1,703; Fifth District, 1,350; Sixth District, 808; total, 8,910.

Inasmuch, however, as there remains to the credit of Iowa 1,281 men, the surplus of her excess over all former calls as compared to the quota due from her on the current draft, the quota named above (8,910), in case a draft is rendered necessary by a failure to raise volunteers, will be reduced by that number (1,281)—that is to say, to 7,629, which number, in reference to such draft, will be subject to a further reduction to the extent of all volunteers not hitherto credited, and such as may be raised in pursuance of the proclamation aforesaid.

If Your Excellency thinks best to subdivide the quotas herein assigned to Congressional districts, and allot proportional parts to smaller subdivisions of your State, I would suggest that for harmonizing the subject of credits in drafts hereafter you regard the enrollment of the first class made by this Bureau as the basis of assignment.

The provost-marshal-general of your State and the boards of enrollment in the several districts will give you all the aid in their power in this and all matters connected with raising troops.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, October 21, 1863.

Governor COBURN,
Augusta, Me.:

It is not probable that both your regiments of veteran infantry can be soon completed under existing orders. It would be best for the General Government for them to be consolidated. This would give

the General-in-Chief one fine regiment for immediate service, which is much needed. Can you not induce Colonels Fessenden and Beal to agree to this, and one take the colonelcy and the other the lieutenant-colonelcy? The good of the service seems to require this.

If an order is sent from here for the consolidation can you arrange it satisfactorily to Colonels Fessenden and Beal?

JAMES B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, October 21, 1863.

Governor ANDREW,
Boston, Mass.:

Your contingent of the new call goes into your regiments whose times expire in 1864 and 1865. The Government desires that the organizations whose terms expire in 1864 be first filled. I have written Major Clarke on this subject, with orders to explain to you.

No new regiments are contemplated. I mail you to-day copy of letter on this point addressed by me to Governors of Maine and Vermont, in answer to similar inquiries and to their urgent request that the bounties might be used to fill the regiments they have been trying to organize.* The bounties offered to raw recruits in my recent letter to provost-marshals apply especially to this call, but only for such recruits—raw recruits—as go into old organizations. Veteran soldiers will get the veteran bounty whether they go into veteran organizations now in progress or in the field.

JAMES B. FRY,
Provost-Marshal-General.

SAINT LOUIS, *October 21, 1863.*

Col. J. B. FRY:

Has the Governor's letter to the President, dated 10th instant, been referred to you? Please answer immediately if terms of your circular to Governor of Ohio regarding bounties to volunteers can be applied to Missouri.

JNO. B. GRAY,
Adjutant-General of Missouri.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 21, 1863.

His Excellency HORATIO SEYMOUR,
Governor of New York, Albany, N. Y.:

Your quota of 300,000 volunteers called for by the President, based on enrollment of the first class, is 38,268. This is exclusive of any deficiencies you may have on present draft or former calls, and these will be considered only in case another draft is necessary in January.

Letter by mail.

JAMES B. FRY,
Provost-Marshal-General.

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*See Fry to Coburn, October 17, p. 888.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 21, 1863.

His Excellency HORATIO SEYMOUR,
Governor of New York, Albany, N. Y.:

SIR: I have the honor to inform you that New York's quota of the 300,000 volunteers called for by the President's proclamation of the 17th instant is as follows: First District, 1,668; Second District, 3,034; Third District, 2,343; Fourth District, 4,316; Fifth District, 2,501; Sixth District, 3,312; Seventh District, 2,544; Eighth District, 3,561; Ninth District, 1,887; Tenth District, 1,774; Eleventh District, 1,477; Twelfth District, 1,551; Thirteenth District, 1,520; Fourteenth District, 1,976; Fifteenth District, 1,780; Sixteenth District, 1,125; Seventeenth District, 1,390; Eighteenth District, 1,738; Nineteenth District, 1,793; Twentieth District, 1,893; Twenty-first District, 1,298; Twenty-second District, 1,567; Twenty-third District, 1,581; Twenty-fourth District, 1,704; Twenty-fifth District, 1,474; Twenty-sixth District, 1,591; Twenty-seventh District, 1,815; Twenty-eighth District, 1,644; Twenty-ninth District, 1,318; Thirtieth District, 1,864; Thirty-first District, 1,339; total, 60,378.

This quota is the proportion of the 300,000 men which New York should furnish, according to the number of men of the first class enrolled in that State, and without any regard to the quota assigned her for the present draft, or the number of men obtained under that draft.

In the several districts where a re-enrollment has been ordered the quotas will be changed in accordance with the results of such re-enrollment and the quota of the State accordingly.

The quota of New York for the present draft was as follows: First District, 2,211; Second District, 2,050; Third District, 2,697; Fourth District, 2,050; Fifth District, 2,050; Sixth District, 4,538; Seventh District, 2,050; Eighth District, 2,050; Ninth District, 2,521; Tenth District, 2,270; Eleventh District, 1,933; Twelfth District, 2,013; Thirteenth District, 2,006; Fourteenth District, 2,324; Fifteenth District, 2,370; Sixteenth District, 1,493; Seventeenth District, 1,818; Eighteenth District, 2,310; Nineteenth District, 2,387; Twentieth District, 2,448; Twenty-first District, 1,687; Twenty-second District, 2,068; Twenty-third District, 2,088; Twenty-fourth District, 2,262; Twenty-fifth District, 1,936; Twenty-sixth District, 2,152; Twenty-seventh District, 2,419; Twenty-eighth District, 2,051; Twenty-ninth District, 2,177; Thirtieth District, 2,539; Thirty-first District, 1,749; total, 68,717.

Up to the 17th instant the number obtained on these quotas was as follows: First District, 455; Second District, 493; Third District, 384; Fourth District, 481; Fifth District, 599; Sixth District, 739; Seventh District, 236; Eighth District, 466; Ninth District, 611; Tenth District, 291; Eleventh District (no report); Twelfth District, 276; Thirteenth District, 582; Fourteenth District, 67; Fifteenth District, 352; Sixteenth District, 561; Seventeenth District, 739; Eighteenth District, 114; Nineteenth District, 1,446; Twentieth District, 457; Twenty-first District, 901; Twenty-second District, 971; Twenty-third District, 807; Twenty-fourth District, 1,157; Twenty-fifth District, 1,236; Twenty-sixth District, 1,308; Twenty-seventh District, 964; Twenty-eighth District, 831; Twenty-ninth District, 722; Thirtieth District, 1,243; Thirty-first District, 1,571; total obtained, 21,060, leaving on present draft as made up to the 17th instant a deficiency of 47,657

The total quota, therefore, of New York for the next draft, in case another is rendered necessary by a failure to raise sufficient volunteers, as it appears from the records up to the 17th instant, would be 60,378, the quota of 300,000 herein assigned, and the deficiency up to the date specified, that is, 47,657; total quota, 60,378.

But this total deficiency (47,657) will, of course, be reduced by all held to service under the present draft after the 17th instant, and by all volunteers not heretofore credited, as well as by all the State may raise in excess of 60,378, her quota of 300,000 as called for by the President's proclamation.

If Your Excellency thinks best to subdivide the quotas herein assigned to Congressional districts, and allot proportional parts to smaller subdivisions of your State, I would suggest that for harmonizing the subject of credits in drafts hereafter you regard the enrollment of the first class made by this Bureau as the basis of assignment.

The provost-marshals-general of your State and the boards of enrollment in the different districts will give you all the aid in their power in this and all other matters connected with raising troops.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 21, 1863.

His Excellency JAMES Y. SMITH,
Governor of Rhode Island, Providence, R. I.:

SIR: I have the honor to inform you that Rhode Island's quota of the 300,000 volunteers called for by the President's proclamation of the 17th instant is as follows: First District, 1,399; Second District, 635; total, 2,034.

This quota is the proportion of the 300,000 men which Rhode Island should furnish, according to the number of men of the first class enrolled in that State, and without any regard to the quota assigned her for the present draft, or the number of men obtained under that draft.

The quota of Rhode Island for the present draft was as follows: 1,980 to First District, 900 to Second District; total, 2,880.

Up to the 17th instant the number obtained on these quotas was as follows: First District, 699; Second District, 534; total obtained, 1,233, leaving on present draft as made up to the 17th instant a deficiency of 1,647.

On all calls previous to the present draft Rhode Island had furnished an excess of 964, which, set off against the deficiency of men obtained on the present draft, reduces such deficiency to 683.

The total quota, therefore, of Rhode Island for the next draft, in case a draft is rendered necessary by a failure to raise volunteers, as it appears from the records up to the 17th instant, would be 2,034, the quota of the 300,000 herein assigned, and the deficiency up to the date specified, that is, 683; total quota, 2,717. The next deficiency (683) will of course be reduced by all held to service under the present draft after the 17th instant, and by all volunteers not heretofore credited, as well as by all the State may raise in excess of 2,034, her quota of 300,000 as called for by the President's proclamation.

If Your Excellency thinks best to subdivide the quotas herein assigned to Congressional districts, and allot proportional parts to smaller subdivisions of your State, I would suggest that for harmonizing the subject of credits in drafts hereafter you regard the enrollment of the first class made by this Bureau as the basis of assignment.

The provost-marshal-general of your State and the boards of enrollment in the different districts will give you all the aid in their power in this and all other matters connected with raising troops.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington City, October 21, 1863.

Brig. Gen. ANDREW JOHNSON,
Military Governor of Tennessee, and
Major STEARNS,
Supt. of Raising, Organizing, and Command of Colored Troops:

GENTLEMEN: You are authorized to appoint any persons whom you may deem suitable for raising, organizing, and commanding colored troops in the State of Tennessee, whether such persons have passed examination of the board or not, and upon your designating such persons to the proper Bureau at Washington proper commissions will be made out. This exception to the general order on this subject is deemed essential to the service in your locality.

EDWIN M. STANTON,
Secretary of War.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 21, 1863.

His Excellency EDWARD SALOMON,
Governor of Wisconsin, Madison, Wis.:

SIR: I have the honor to hand you herewith a statement of the enrollment of the first class in Wisconsin, with the quota made thereon, with excess and deficiencies credited and charged to districts in conformity with a statement received from you a few days since. The quotas are larger than named to you when in Washington, the difference resulting from the fact that actual returns show a larger enrollment than then estimated for unreported districts.

I have the honor to be, sir, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

[Inclosure.]

WISCONSIN.

Table showing quotas under the present draft, as modified by statement of excess and deficiency in the several Congressional districts under previous calls, and quotas under the President's proclamation, October 17, 1863.

	Districts.						Total.
	First.	Second.	Third.	Fourth.	Fifth.	Sixth.	
Total enrollment in class one	15,605	12,952	10,012	10,138	12,014	12,069	72,790
Quota in the present draft, as fixed at one-fifth of class one enrolled.	3,121	2,590	2,002	2,028	2,403	2,414	14,558
Excess and deficiency on calls of 1861 and 1862 by Congressional districts, as per statement from Governor Salomon (adjutant-general's office), Madison, to October 12, 1863:							
Excess	353	1,341	1,064	.....	566	1,410	4,734
Deficiency	.....	.....	.....	382	.....	.....	382
Absolute quota under the present draft, with reference to excess and deficiency, former calls.	2,768	1,249	938	2,410	1,837	1,004	10,206
Quota under President's proclamation of October 17, 1863.	2,204	1,829	1,414	1,432	1,697	1,705	10,281

Net quota under the present draft 10,206
Total quotas under present draft and President's proclamation October 17 20,487

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 22, 1863.

His Excellency OLIVER P. MORTON,
Governor of Indiana, Indianapolis, Ind.:

SIR: I have the honor to inform you that Indiana's quota of the 300,000 volunteers called for by the President's proclamation of the 17th instant is as follows: First District, 1,830; Second District, 1,370; Third District, 1,535; Fourth District, 1,222; Fifth District, 1,448; Sixth District, 1,978; Seventh District, 1,755; Eighth District, 1,839; Ninth District, 2,097; Tenth District, 2,020; Eleventh District, 1,903; total, 18,997.

Inasmuch, however, as there remains to the credit of Indiana 1,669 men, the surplus of her excess over all former calls as compared with the quota due from her on the current draft, the quota named above (18,997), in case a draft is rendered necessary by a failure to raise volunteers, will be reduced by that number (1,669)—that is to say, to 17,328, which number, in reference to such draft, will be subject to a further reduction to the extent of all volunteers not hitherto credited, and such as may be raised in pursuance of the proclamation aforesaid.

If Your Excellency thinks best to subdivide the quota herein assigned to Congressional districts, and allot proportional parts to smaller subdivisions of your State, I would suggest that for harmonizing the subject of credits hereafter you regard the enrollment of the first class made by this Bureau as the basis of assignment.

The provost-marshal-general of your State and the boards of enrollment in the several districts will give you all the aid in their power in this and all other matters connected with raising troops.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

SPECIAL ORDER.] WAR DEPARTMENT,
Louisville, Ky., October 22, 1863.

Ordered, 1. That the construction of the Northwestern Railroad from Nashville to the Tennessee River at Reynoldsburg as a military road for the transportation of troops, army supplies, and for other military purposes, be placed in charge of Andrew Johnson, Military Governor of Tennessee, with full power to provide material, to employ a competent engineer, and other officers, agents, and workmen necessary to complete said line of railroad without delay. All officers, agents, and workmen, and contracts for material necessary to the construction of said road, shall be under his general direction and control, subject to the approval of the Quartermaster-General.

2. Officers of the Quartermaster's Department shall be designated by the Quartermaster-General to draw rations and provide supplies for the forces engaged upon the work, and pay the expenses incurred from time to time under this order, when properly certified by the engineer in charge of the work and by Andrew Johnson, Military Governor of Tennessee.

3. Chief officer of commissary department at Nashville will furnish such rations and supplies for the forces engaged in constructing the Northwestern Railroad as may be necessary upon requisitions from the quartermasters referred to in this order.

4. The general manager of military railroads will provide, upon the requisition of Andrew Johnson, Military Governor of Tennessee, such engines and cars (so far as may be consistent with the transportation of army supplies) for construction purposes as may be necessary, and also to move fuel and other supplies to Nashville for the Government and for such other purposes and on such terms as may be approved by the Quartermaster-General.

5. As soon as the line is connected through between Nashville and Reynoldsburg it shall be turned over to the general manager of Government railways as a military road and be used for Government purposes in the same manner as other railroads in possession of the Government are, or may hereafter be, operated under orders of the Government as military lines.

6. Major-General Grant will furnish such military forces as may be necessary for the protection of the road and the working parties engaged thereon.

EDWIN M. STANTON,
Secretary of War.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 22, 1863.

His Excellency ABNER COBURN,
Governor of Maine, Augusta, Me.:

SIR: I have the honor to acknowledge the receipt of your communication of the 9th instant respecting the clothing, equipments, &c., for a cavalry regiment, which was referred to the Quartermaster-General, and has been returned to this Bureau with the information that the "Quartermaster's Department is prepared to supply the clothing as soon as notified that it is required."

I have the honor to be, very respectfully, your obedient servant,
JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, October 22, 1863.

General J. B. GRAY,
Adjutant-General of Missouri, Saint Louis, Mo.:

Governor's letter to the President has not reached me. Your quota of 300,000 and the bounties under President's call will be communicated as soon as computed.

JAS. B. FRY,
Provost-Marshal-General.

A PROCLAMATION BY THE GOVERNOR:

The President of the United States has issued a proclamation calling upon the Governors of the different States to raise and have enlisted into the U. S. service their respective quotas of 300,000 men, to serve for a term not exceeding three years. The President has also proclaimed that if any State shall fail to raise the quota assigned to it by the War Department a draft for the deficiency will be made, commencing on the 5th day of January, A. D. 1864. The quota of the State of New Jersey under said call has been assigned as 9,441. The quota of each township and ward will be speedily published by the adjutant-general. Credits for volunteers on said quota will be given to the respective townships and wards until the 4th day of January, 1864. No draft will be made for the deficiency of the 8,783 men assigned to the State in July last (and to fill which I called for volunteers by proclamation dated July 27, 1863) before the 5th day of January, 1864, and the credits for volunteers on that call will also be given to the several townships and wards where deficiencies exist in their respective quotas, heretofore published by the adjutant-general of the State, until the 4th day of January, 1864. Therefore, the draft announced by the President to commence (in case of a failure to furnish volunteers) on the 5th of January next will be for the entire deficiency of any township or ward. I earnestly call upon all the citizens of this State to use every effort to raise these troops. The time for work is short, but if the people of New Jersey, who have hitherto never faltered in the discharge of duty, will unitedly, and in the proper spirit, at once enter upon it, with the determination not to fail, they will succeed. Our armies should be largely re-enforced. A crushing blow at the armed power of the rebellion, if followed by wise, just, and conciliatory counsels, will open the door to that peace which we so much desire and which has thus far eluded us. The people, amidst many discouraging circumstances, nobly responded to my former call for volunteers. Whatever may be the result of this appeal, the events of the past few months have reflected additional honor on our beloved State. I have confidence that the people will again respond and fill with volunteers not only our quota of the new call, but also the small existing deficiency. I here repeat the request formerly made to the citizens of the State, to aid the raising of men by the bestowment of bounties, either individually or through the municipal authorities. It is true that a response to this request involves the expenditure of large sums of money, but every man must expect that a war of such gigantic magnitude as that in which we are engaged, to be ended speedily, requires pecuniary sacrifice. If war is to be prosecuted, it is economy to bring into the field a large preponderance of power, rather than feed its insatiate appetite by piece-

meal. We should be prepared to make great sacrifices, if by so doing we can save the Union. The General Government offers largely increased bounties, of which the details will be announced by the adjutant-general of the State.

Given under my hand and privy seal at Trenton this 22d day of October, A. D. 1863.

JOEL PARKER.

Attest:

S. M. DICKINSON,
Private Secretary.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
WESTERN DIVISION, STATE OF NEW YORK,
Elmira, October 22, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: You will see that Governor Seymour is patriotic in his proclamation in favor of volunteering. We hope to have an organization complete in a few days. The Governor has met every proposition thus far fairly.

What do you say to the joint letter of Major Townsend and myself, addressed you from Albany, upon the Governor's suggestions about deserters? It would gratify the Governor much, and really I must say there is something demanded to relieve against the abuses of our recruiting officers in enlisting boys under eighteen without the consent of parents or guardians, when the law and regulations are explicit in prohibiting it. The law of Congress in most direct terms forbids any enlistment under eighteen. The regulations evidently overlook the law of Congress which forbids the enlistment of minors under eighteen without consent, &c. But recruiting officers, in their eagerness for recruits, disregard both law and regulations and now the parents have no remedy since the courts are closed against them.

These enlistments, by the dissatisfaction and prejudice they create, damage the recruiting service more a thousand times than any benefit to the Army by getting a few boys into the service.

Your obedient servant,

A. S. DIVEN.

P. S.—I ought to say that it is not always the fault of the recruiting officers that boys are enlisted. The boys themselves misstate their age for the sake of enlisting, and the parent has no remedy. Any tribunal that could give speedy relief in these cases would remove most of the prejudice against the suspension of the writ of habeas corpus.

I am trying to prepare some suggestions in compliance with your request relative to amending the enrolling act.

A. S. D.

[Inclosure.]

A PROCLAMATION BY HORATIO SEYMOUR, GOVERNOR OF THE STATE OF NEW YORK.

EXECUTIVE CHAMBER,
Albany, October 20, 1863.

The President of the United States has called upon me, as Governor of the State of New York, to furnish its quota of 300,000 men to

recruit the volunteer forces of the United States, which will be largely reduced during the coming year by the expiration of the terms of enlistment.

At this time the defenders of the National Capital are menaced by a superior force, the Army of the Cumberland is in an imperiled condition, and the military operations of the Government are delayed and hindered by the want of an adequate military power, and are threatened with serious disaster.

In this emergency it is the duty of all citizens to listen to the appeal put forth by the President, and to give efficient and cheerful aid in filling up the thinned ranks of our armies. It is due to our brethren in the field, who have battled so heroically for the flag of our country, the union of the States, and to uphold the Constitution, that prompt and voluntary assistance should be sent to them in this moment of their peril. They went forth in the full confidence that they would at all times receive from their fellow-citizens at home a generous and efficient support.

Every emotion of pride and patriotism should impel us to give this by voluntary and cheerful contributions of men and money, and not by a forced conscription or coercive action on the part of the Government.

The President also advises the citizens of the several States that in the event of the failure to raise the quotas assigned to them a draft shall be made for the deficiency, to commence on the 5th day of January next.

Not only does duty to our soldiers in the field and the honor of the Nation demand that we shall continue to fill our armies by voluntary enlistments, but the interests of all classes in society will be promoted by the success of that system. The unequal burdens which conscription unavoidably inflicts on a portion of society not only cause great distress and injury to individuals, but are more hurtful to the whole community than the equalized distribution of the cost and sacrifices of volunteering, which more perfectly adjusts itself to the condition of all classes.

The bounties which will be paid by the General Government, and in this State by the government of New York, are extremely liberal and much larger than those heretofore given. They will aid the volunteers who shall enter the service to make immediate and ample provision for those dependent upon them. I expect all classes of our citizens to assist in recruiting volunteers called for from this State by their influence and by liberal contributions, and I call upon all State officials to give every assistance in their power to promote enlistments into our armies, and thus save our citizens from the inequalities, irregularities, and sufferings of the draft, and at the same time animate our soldiers by an exhibition of sympathy and patriotic devotion, and give strength to our armies in their battles for the preservation of the Union.

HORATIO SEYMOUR.

COLUMBUS, *October 22, 1863.*

Col. JAMES B. FRY:

To enable me to make up an account of the men due the Government from this State, please inform me—first, the date on which the

last quota of 8,309 was fixed by you; second, up to what date did you give Ohio credit in fixing that quota?

DAVID TOD.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 22, 1863.

His Excellency DAVID TOD,
Governor of Ohio, Columbus, Ohio:

On quota of 8,309, as ordered September 11, credit was given for all mustered in up to September 7.

JAMES B. FRY,
Provost-Marshal-General.

BOSTON, *October 23, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

Waiting anxiously promised letters of information.

Please telegraph whether soldiers drafted under Department orders are credited toward the new call; if not, how are they credited?

JOHN A. ANDREW,
Governor of Massachusetts.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 23, 1863.

His Excellency JOHN A. ANDREW,
Governor, &c., Boston, Mass.:

Letter giving quotas and explaining call was sent on the 19th. If not received will forward copy.

JAMES B. FRY,
Provost-Marshal-General.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
STATE OF NEW HAMPSHIRE,
Concord, October 23, 1863.

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to transmit herewith copies of the reports of Captain Godfrey, provost-marshal First District, and John Legro, deputy provost-marshal, relative to the expedition sent to the town of Jackson, by my orders, to arrest the parties concerned in the late riotous proceedings in said town.

It appears no arrests were made, the active parties in the resistance offered to the draft having fled. The remaining notices were served on the drafted men.

I confess I am disappointed in the results of this expedition. I shall, however, endeavor to secure the arrest of the ringleaders.

The evidence will be placed in the hands of the U. S. district attorney and all proper steps taken to bring the offenders to justice.

I am, colonel, very respectfully, your obedient servant,

O. A. MACK,
Major and Aide-de-Camp and Actg. Asst. Prov. Mar. Gen.

[Inclosure No. 1.]

PROVOST-MARSHAL'S OFFICE,
Portsmouth, N. H., October 21, 1863.

Maj. O. A. MACK,
Acting Assistant Provost-Marshal-General:

MAJOR: I have the honor to inclose herewith a copy of the report of Deputy Provost-Marshal John Legro of his operations in the town of Jackson.

I greatly regret that the persons concerned in the riotous proceedings there could not have been arrested, but they had all fled to the mountains.

Mr. Legro assures me privately that in his opinion there will be no difficulty in having a proper party start quickly for Jackson in the course of a few days, and arriving at Conway just at night, go forward to Jackson and arrest all those whom it may be desirable to have arrested the same night, and that this is the only way in which the arrests can be effected. I am convinced this is correct, and with your approbation propose to have it done at a proper time.

The presence of the troops has undoubtedly had a good effect, and officers can now go there safely and the haunts of deserters will be broken up.

Very respectfully, your obedient servant,

JOHN S. GODFREY,
Captain and Provost-Marshal

[Inclosure No. 2.]

ROCHESTER, N. H., *October 20, 1863.*

Capt. J. S. GODFREY,
Provost-Marshal, First Congressional District, N. H.:

CAPTAIN: Immediately after receiving your instructions of October 13 I proceeded to Jackson, N. H., when I met Deputy Provost-Marshal Hiram Paul, Enrolling Officer H. A. Godfrey, and the military guard that had been ordered to that place to assist in enforcing the draft.

Immediately on our arrival in town Colonel Wardwell, commander of the military guard, notified some of the leading men that it would be very gratifying to see the Stars and Stripes floating from the flagstaff of the town of Jackson; and in less than half an hour the order was promptly obeyed.

The sound of the bugle brought the more considerate part of the community to their senses, and caused the rebels to flee to the mountains, where they remained until we left town.

On the 17th Enrolling Officer Godfrey notified the conscripts to appear at your office on the 6th of November next.

We learned the names of some of the most prominent rebels concerned in the recent assault made on the officers who were sent to notify the conscripts; but as they had all left town we could not have the pleasure of arresting them, but are in hopes to be more successful on our next visit.

I think on the whole that our visit to Jackson will have a good effect on the inhabitants of that town, from the fact that on Sunday, October 18, they had religious services in the church, which I learned were the first religious services that had been held in that town for eighteen months.

I am, sir, very respectfully, your obedient servant,

JOHN LEGRO,
Deputy Provost-Marshal.

COLUMBUS, OHIO, *October 23, 1863.*

Col. J. B. FRY,
Provost-Marshal-General:

Your dispatch received. Our accounts stand as follows:

Calls for 1861	67,365
Calls of 1862	36,858
Calls of 1862, nine-months' men, pro rata	9,217
Calls of 1863	36,858
Total	150,298

Contra credit: Furnished to June 10, 1863, 137,505.

Corrections: See Adjutant-General's letter, September 7, 1863, 4,361 men mustered after June 10, 1863. See my report of October 19, 1863, 5,952, leaving due September 30, 1863, 2,480.

Since that date there has been recruited, for Ninth Ohio Volunteer Cavalry, 338; for Twelfth Cavalry, 1,133; for the colored regiments, 91; recruits for old regiments up to September 1, 1863, 465, leaving but 453.

This number is more than made good by recruits for old regiments from September 1 to this date. I therefore claim that Ohio is exempt from draft.

I have submitted all exhibits to Colonel Parrott and have requested him to communicate with you on the subject.

D. TOD,
Governor of Ohio.

COLUMBUS, OHIO, *October 23, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

Governor Tod has shown me the account of men due from Ohio, made up from statement of the Adjutant-General U. S. Army, dated June 10, and his correspondence on the subject. If the figures furnished from the Department June 10 are correct, the State has furnished her full quota. I communicate at the Governor's request.

E. A. PARROTT,
Colonel and Actg. Asst. Prov. Mar. Gen., Ohio.

NATCHEZ, MISS., *October 24, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: I came to this place the 14th instant to examine into the condition of the freed negroes, see to the organization of the able-bodied men, and give such orders as might be necessary for their well-being. I had finished my business in this respect, and contemplated returning up the river, when the generals in authority desired me to remain a week longer, as my presence they said was producing beneficial effects upon the citizens. I accordingly determined to remain a few days longer. The town of Natchez and Adams County, in which it is situated, has always been strongly Whig in its politics and gave a strong vote against secession, and I find here quite a Union feeling. Years ago I was stationed at this place, and I find several of my old friends who are Union men, men who have been so from the beginning.

They are extremely desirous of bringing this State back into the Union, and they are doing all in their power to accomplish this very desirable object. The strong undercurrent of Union feeling is daily growing, and the time is not far distant when it will rise to the surface and assert its proper sway. The gentlemen here are of opinion that this is not the proper place to commence an effort to return to the Union, as the other counties have usually looked upon Adams County with a jealous eye.

Judge Winchester, a strong Union man, thinks it should be commenced in the adjoining county of Wilkinson. This, I am informed, will soon be commenced, and once the ice is broken the movement must go forward to completion. In my interview with my old friends and the citizens I have urged the importance of speedy and positive action, and I have hopes that the people here will soon throw off the galling yoke which has so long oppressed them. In a former communication I suggested that a military governor should be appointed for the State of Mississippi, and named Judge Sharkey as the person of most influence here who would be acceptable, and be enabled fully to perform the responsible duties of that office. I have recently had a full conversation with him, and whilst he says there is a strong undercurrent of Union feeling pervading the people, which is increasing, yet it would not be politic at this time to appoint a military governor. He thinks it would have a bad influence. He wishes the undercurrent of Unionism to show itself more decisively before any action should be had. This may be so, but I believe the time has arrived for the people to decree that the rebellion shall no longer be permitted or tolerated. The best understanding has been constantly maintained with the citizens by the officers of the army in command, and the result has been most beneficial. The Union feeling I have endeavored to foster and elevate, and I think the planters are fully satisfied and prepared to adopt the system of compensating the freed negroes for the amount of labor they may perform.

I have suggested to Generals Crocker and Gresham that the town should resume its original position; elect a mayor and select council to regulate the place, collect revenues, &c., and carry on the affairs of the city under the inspection of the commanding general.

I have found a good person who will at once establish a steam ferry from Natchez to Vidalia, which will be not only a great convenience, but be important in a military point of view.

I hope I will not be considered as intruding views upon you which are not strictly within the sphere of my duties, but all these questions run so much into each other, and I am so constantly appealed to by officers and citizens, that I feel I should make them known.

I have the honor to be, very respectfully, your obedient servant,

L. THOMAS,
Adjutant-General.

SPECIAL ORDERS, No. 85.

NATCHEZ, MISS., *October 24, 1863.*

I. All freed negroes who have sought the protection of the United States, or who have been brought within our lines, are to be put to such labor as they may be competent to perform, and all such as are absolutely retained, either in employment or otherwise, within said

lines will not be permitted to pass beyond the same. Only such negroes will be permitted to pass outside the Federal lines as may be in the military service of the United States, in the employ of the several departments of Government, or are voluntarily in the employ of lessees of plantations authorized by the commissioners, or such as may be hired by men of known loyalty, or such as may receive express authority from the local commander to return to their former homes.

Domestic servants in the employ of loyal citizens will, on application of the latter to military commandants, be permitted to proceed to any Northern point.

II. Whenever cotton may be picked, ginned, and baled by negroes on abandoned plantations, not leased by the authorized commissioners, one-fourth of said cotton will be delivered to the commissioners, to be disposed of by them for the benefit of these negroes.

III. Camps for freed negroes are to be considered simply as places of temporary refuge for such negroes incapacitated for military service as may come within our lines; and these camps are to be occupied only by such until opportunities offer to place them in position whereby they may support themselves. With this object in view, the superintendents of all such camps will furnish, on the requisition of the commissioners appointed by the Government, such hands, male, female, and children, as may be called for by them for the cultivation of plantations leased to authorized persons, including civilians of known loyalty to the Federal Government.

IV. All officers now serving in regiments of African descent who may have been mustered into the service of the United States at a date subsequent to the complete organization of their respective commands, according to regulations, are entitled to have their muster-roll dated from the time their commands actually numbered the minimum prescribed by law; and all officers who are properly authorized to act as mustering officers are hereby directed to make the necessary changes on the muster-rolls of such commissioned officers and enlisted men as may have been prevented by circumstances from being mustered in at the exact time they might have been entitled thereto.

These changes will be made only on the certificate of the regimental commanders that the officers and men were actually entitled to be mustered into the service of the United States on the dates set forth by them.

V. The interests of the service rendering it important that the number of company officers in regiments of African descent, already organized, should be kept to the maximum number, commanders will immediately nominate such persons as may be deemed fitted to fill vacancies in their regiments.

All such officers when duly appointed will at once be mustered into service, regardless of the actual strength of the company, provided such company should have at any previous time numbered the aggregate prescribed by law. This becomes the more necessary from the fact that these companies are liable to be filled at any time.

VI. The non-commissioned staff officers of the regiments of African descent will be mustered into the service of the United States from the time that the commanding officers of their regiments shall report their services as absolutely necessary.

By order of the Secretary of War:

L. THOMAS,
Adjutant-General.

STATE OF MAINE, EXECUTIVE DEPARTMENT,
Augusta, October 24, 1863.

FELLOW-CITIZENS: The President has called for 300,000 additional volunteers to meet the present and prospective exigencies of the war.

Of this additional force Maine is expected to furnish her quota, and she will not disappoint that expectation. Now, as heretofore, her patriotic men will respond to the call, and promptly furnish her full share of the force necessary to vindicate the integrity of our Government and maintain the supremacy of the laws of the Union. Our people, with almost entire unanimity, have determined that the present rebellion shall be suppressed, and that the Union which it was designed to destroy shall be maintained. For this purpose they entered upon the contest, and to this end they will persevere until the object be accomplished and until the world shall be satisfied that free men can endure more and persevere longer for the preservation of free government than can the most desperate and determined traitors for its destruction.

The length of the conflict is not to be measured by years, but by events. Treason is to be put down, and to that end should all the measures of the Government be subservient. Great progress has already been made. Two years ago rebellion was bold, defiant, and apparently successful in half of the territory of the Union, and our National Capital was literally besieged by armed traitors. Since that time, by the valor of our arms, they have been expelled from the greater part of this territory, and the banners of the Union now float in triumph over more than half of the States which were then claimed as component parts of their boasted Confederacy. They now find themselves on the point of strangulation by the closeness with which the arms of the Union are pressed upon them. Thousands of loyal men in the South, who have been awed into submission by their despotism, are now flocking to our standards.

A little more pressure, a few more vigorous blows, and the work of suppression will be accomplished and our Union will stand forth in all its former glory—not reconstructed, because not destroyed, but stronger for the assault which has been made upon it. These are encouraging omens.

But the work accomplished has cost immense labor and has required immense resources in both men and money.

To sustain our armies who have struggled so heroically and successfully, to fill their ranks which have been reduced by the return of those whose term of service has expired and thinned by the casualties of the field, and to enable them to hold the vast territory which has been conquered by their valor, and to bring the war to a successful and speedy termination, more men are now wanted. Will those men be forthcoming? Who that knows anything of the past or the patriotism of our people can doubt on this point? I cannot. Our people will not wait for any coercive power to call them to duty. All they desire to know is how much additional aid is desired of them, and I feel full assurance that such aid will be rendered. I therefore, with great confidence, call upon the citizens of this State, as with one mind they have resolved to suppress the rebellion, with united hearts to provide the means necessary to accomplish this object.

The provision for the soldier is most ample. With liberal wages and a bounty of hundreds of dollars, he can go forth with the assurance that those dependent upon him will receive all needed support in

his absence, and with the consciousness that his efforts will contribute to the perpetuity of our free institutions, the glory of our country, and the honor of her brave defenders. I summon, therefore, the loyal men of this State to aid in the speedy accomplishment of this work. I call upon the representatives of every class to contribute of their numbers and their means. Personal efforts and personal sacrifices are unworthy considerations in comparison with the immense issues at stake. Let not these be imperiled through our inactivity. I believe that a proper appreciation of the necessities of the Government on the part of the people of this State would render but a few days necessary to answer the call of the President upon us. I am too well acquainted with the results of determined effort in the past to doubt this.

ABNER COBURN,
Governor and Commander-in-Chief.

CIRCULAR.] STATE OF MAINE,
HEADQUARTERS ADJUTANT-GENERAL'S OFFICE,
Augusta, October 24, 1863.

PRESIDENT'S CALL OF OCTOBER 17, 1863, FOR 300,000 VOLUNTEERS.

Inasmuch as some few days must necessarily elapse before arrangements can be perfected for settling definitely the basis of quotas, and making the apportionment of troops required of this State, it is deemed essential that the work of volunteering should in the meantime progress with all possible celerity. The following principles are announced as governing future action in this behalf:

I. The call of the President for 300,000 volunteers is made without regard to the deficiencies of States or localities upon former calls and apportionments. No computations can therefore be entered into with the respective cities, towns, and plantations in this State for an alleged deficiency or surplus (if any) of volunteers furnished prior to the date when the Government draft was ordered, or of men or commutations obtained under the same.

II. In apportioning the quota of this State under the present call, Colonel Fry, the Provost-Marshal-General of the United States, says, "This is exclusive of any deficiency you may have on present draft or former calls, and these will be considered only in case another draft is necessary in January." If, therefore, the State fails to furnish and have mustered into the U. S. service its due quota of the troops required under this call, it is probable that the draft which may be ordered in January next will include not only the deficiency under this requisition, but also the State's deficiency as claimed by the War Department upon former calls.

III. All voluntary enlistments made since the U. S. draft was ordered of troops that have been duly mustered into the U. S. service, whether for regiments and corps in the field or for the veteran regiments now in process of enlistment and organization, constitute a portion of this State's quota of the present call, and those places which have procured such volunteers or paid them bounty are entitled to credit for them upon the quota to be announced.

IV. While the commander-in-chief, Governor Coburn, and Major Gardiner, acting assistant provost-marshal-general, direct and control the work of recruiting, the respective municipal authorities of the various cities, towns, and plantations are earnestly requested to co-operate in this labor, so vital in importance to the Government and

themselves, until its completion. Their suggestions and recommendations touching recruiting officers for their vicinities are invited and will receive most respectful consideration.

V. The premiums and bounties provided by the General Government and State for all volunteer enlistments are on a scale of such munificence that, while all who can enter the service should do so, those who from age or physical infirmity are ineligible to enlistments may find it for their interest as well as honor to suspend their ordinary avocations for the work of obtaining soldiers for the Government until the full number required from this State is furnished.

VI. Two regiments of infantry and one of cavalry, to be composed almost wholly of members that have already served not less than nine months in the field and been honorably discharged, are now progressing in their enlistment and organization at Augusta. In all enlistments of new recruits or veteran soldiers, they can elect for a few weeks to enter either of these organizations with $100 State bounty or some regiment or corps in the field with bounty to veterans of $55; but after these three commands are filled, as they soon will be, every volunteer must of necessity be sent directly into the field.

VII. Under the resolve of the Legislature of January 27, 1863, authorizing "the Governor and commander-in-chief to continue the payment of $55 bounty to recruits for the three-years' regiments or batteries of Maine Volunteers so long as in his judgment the public exigencies require," this amount will be continued to veterans enlisted for organizations now in the field. To veterans or new recruits enlisting in the regiments now organizing will be paid the $100 State bounty authorized by an act of the Legislature approved March 26, 1863.

VIII. In view of the liability of veteran soldiers to be called into service under the operation of the next draft without State or Government bounty, it behooves them to embrace the present unparalleled advantages offered in completing the veteran organizations in this State, of entering a regiment of their choice with a State and Government bounty of $502—an amount sufficient to secure to any man of reasonable desires a comfortable and permanent home for himself and family.

JOHN L. HODSDON,
Adjutant-General.

BOSTON, *October 24, 1863.*

Col. JAMES B. FRY,
Provost-Marshal-General:

Your letter said to have been mailed 19th instant not arrived. I am delayed by not receiving its information.

JOHN A. ANDREW,
Governor of Massachusetts.

SAINT LOUIS, *October 24, 1863.*

Col. J. B. FRY:

Recruiting is at a stand-still in consequence of [un]certainty about bounty. If you will say that new recruits will have bounty as promised to Ohio, we can furnish many volunteers immediately and decide the quota at your convenience.

JNO. B. GRAY,
Adjutant-General of Missouri.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, October 24, 1863.

Major-General HALLECK,
General-in-Chief U. S. Army:

The cases of Quakers who have conscientious scruples in regard to bearing arms or paying money as a commutation for military service may be provided for without injury to the public or objection on their part by assigning them to duty as nurses and attendants in hospitals.

They do not object to being employed in nursing the sick and disabled, as it is a duty of humanity and of men capable of bearing arms, without any sacrifice of principle on the part of the Government. Several cases have occurred in this department, and I take the liberty of suggesting the adoption of the above rule to meet them and all others of the same character.

I am, very respectfully, your obedient servant,

JOHN A. DIX,
Major-General, Commanding.

NASHVILLE, TENN., *October 25, 1863.*

Maj. Gen. U. S. GRANT,
Chattanooga:

GENERAL: I have come thus far on my way to have a personal conference with you, but here learn from an officer just from Bridgeport that you have gone forward to Chattanooga. It will take more time than I can possibly spare now to follow you to that place. I therefore write.

I received a copy of your letter of the 26th of September to the Secretary of the Treasury, and wrote to you upon its receipt, directing my letter to you at Vicksburg and sending with it a copy of the regulations of the Secretary.

I am fully satisfied that your conclusions as to trade in your department are correct, and they are in entire harmony with those of the Administration at Washington. I shall adopt them at once, and make such local rules for action in pursuance of them under the regulations of September 11, 1863, as may be necessary to conduct trade throughout your department in such manner as to prevent supplies from reaching the enemy, and also to prevent as far as possible any interference with your military operations.

I beg to refer you to Regulation IX. Under this I will regard the lines of the "trade district" in your department down the Mississippi, those indicated by you in an interview at Vicksburg, as your advance military lines. I will regard your advance lines in Eastern Tennessee, &c., as embracing the "trade district" in that section, thus regarding all that portion of the insurrectionary States within the lines of national military occupation throughout your department as "trade districts" within the definition of Regulation IX of the Secretary of the Treasury. Then, in pursuance of your suggestions and of Regulation XIV, I will authorize trade stores at military posts only, and at such posts only as shall be regarded safe and proper by the local military officers in command of districts. But whenever any trade at all is authorized at any post or place, it will be made as near a free trade to all who apply, of the right character and give the requisite bonds, as can be done consistently with the condition of the country where it is to be carried on.

At these posts I will authorize the purchase of Southern products to all persons of the character above named.

The authority to trade at these posts, either in selling or buying, will be rigidly confined to persons of unquestioned loyalty and of good character as merchants, and all traders will be placed under heavy bonds. No sale will be permitted at these posts except under the permit of a local special agent, which permit should also, I think, be countersigned by the local provost-marshal or such other military officer as shall be designated for that purpose by the local military commander. This will be a double check against abuse.

No person can buy or sell at these posts except under the authority or license required by the regulations of the Secretary of the Treasury, and these authorities will be subject to revocation at once upon any breach of the privilege granted.

I know that, notwithstanding every safeguard, abuses will occur; but if the military and civil authorities combine harmoniously for the execution of the regulations in conducting an honest trade by honest men, I shall hope that but little supplies will reach the enemy or little interference with military operations will occur in the carrying on of the trade so authorized.

I will feel very much obliged to you for such suggestions as may from time to time occur to you calculated to correct any abuses which may come to your knowledge either as to the general system adopted or as to any individuals, officers, or traders acting under it. If you will issue such a general order under which this system may be faithfully carried out throughout your department as you shall think sufficient for the purpose, I will be much obliged to you, and I feel certain that it will do very great good in producing harmony of action between the civil and military officers of the Government. (See order of War Department, page 52 of the pamphlet inclosed.)

I shall commence working under this system as soon as possible, unless I receive from you advice that I have misunderstood the meaning of your letter.

Will you acknowledge the receipt of this letter at your very earliest opportunity that I may know if it entirely accords with your views? And if any change in the system or any additional features in it seem proper to you, I will thank you to name them and I will promptly adopt them.

I am, very respectfully, your obedient servant,

WM. P. MELLEN,
Supervising Special Agent, Treasury Department.

P. S.—I inclose herewith a copy of the regulations of the Secretary of the Treasury of September 11, 1863. I have marked such sections as particularly relate to the trade, &c., in the districts named, viz, Sections VII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXIII, XXIV, and XXV.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, October 25, 1863.

General GRAY,
Adjutant-General of Missouri, Saint Louis, Mo.:

You can at once commence raising recruits for organizations whose terms expire in 1864 or 1865, and give each recruit so raised bounty,

premium, and advance pay of $302 for new recruits for such organizations, or $402 for veterans. Please acknowledge receipt.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 25, 1863.

His Excellency JOEL PARKER,
Governor of New Jersey, Trenton, N. J.:

SIR: A statement of the quota of New Jersey of 300,000 called for by the President's proclamation of the 17th instant will be furnished you as soon as you have completed recruiting for the regiments now raising in your State; or if you desire, I will at once inform you of the number called for under that proclamation. As the increased bounty is offered only to recruits for old regiments, or those whose terms of service expire in 1864 or 1865, I have not sent you the quota under that call, thinking you would prefer not to receive it until you have filled the regiments now raising to supply the number called for by the draft. If you desire it, however, I will forward the statement at once.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, October 25, 1863.

Governor TOD,
Columbus, Ohio:

As you have filled your quota for the present draft before the day fixed for the drawing, the claims of the Government under this draft are satisfied, and the draft will not proceed. The recruits by which you have filled your quota being for old regiments in the field are of increased value on that account. It is hoped that similar success will attend your efforts in filling your quota of the 300,000 called for by the President's proclamation of the 17th.

JAMES B. FRY,
Provost-Marshal-General.

GENERAL ORDERS, No. 348. WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, October 26, 1863.

The Provost-Marshal-General having been authorized, September 5, 1863, to organize the companies of the Invalid Corps into regiments, the limitation in paragraph 5, of General Orders, No. 173, under which no officer of the corps can receive a commission higher than the grade of major, is removed. The grades of colonel and lieutenant-colonel are authorized from September 5, 1863.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, October 26, 1863.

Ordered, That the provisions of General Orders, No. 329,* in relation to the enlistment of colored troops, be, and they are hereby, extended to the State of Delaware. Recruiting stations will be established and recruiting conducted under the direction of the Governor of Delaware, subject to the orders of this Department.

By order of the President:

E. D. TOWNSEND,
Assistant Adjutant-General.

NATCHEZ, MISS., *October 26, 1863.*

Col. E. D. TOWNSEND,
Assistant Adjutant-General, Washington, D. C.:

COLONEL: I was very much gratified at receiving yesterday Special Orders, No. 452, and a copy of your letter of instructions to Brigadier-General Wadsworth to make a thorough inspection of the negro troops, &c. I of course especially desire that a competent officer, such as I deem General Wadsworth, should from personal observation present to the Government the actual state of affairs in this region. I may find it necessary to send the general to Texas, and also to Pensacola, at which latter place I hope to organize one or more regiments. I have directed Brigadier-General Asboth, recently assigned to command in Western Florida, to gather in the negroes and organize them. I hope he will be able to operate into lower Alabama.

I am, sir, very respectfully, your obedient servant,

L. THOMAS,
Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE GULF,
On Board Steamer McClellan,
Mississippi River, October 26, 1863.

Maj. Gen. H. W. HALLECK,
General-in-Chief U. S. Army, Washington, D. C.:

GENERAL: Referring to my communications upon the subject of charities in this department, most important and pressing, I inclose to you a communication from Col. E. G. Beckwith, chief commissary of the department, giving a statement somewhat in detail of the disbursements in behalf of this interest. The approaching season of winter will increase the burden. Every possible exertion has been made to reduce the number of claimants without increasing public and private suffering, and, as you will see by this report, the appropriations have been reduced nearly one-half since my assumption of command. Under the previous administration more than $70,000 a month was expended in this way. Now, about $30,000 covers all our disbursements. I have to repeat that the number of infirm and incapable negroes is increasing upon our hands. Beyond our lines the rebels force them upon us; and within our lines men cultivating Government plantations, and in some instances private planters, are quite willing to increase the value of able-bodied hands by throwing upon the charity

* See p. 860.

of the Government those who are incapable of private and public service. It is indispensable that the Government should decide immediately what is to be done with these two different classes of charities, both of which are increasing in magnitude and importance. If the property which is now applied in a very great degree to the aggrandizement of individual fortunes cannot be applied to the support of these people, appropriations must be made directly by the Government for this purpose. I wait with solicitude your instructions upon this subject.

You must pardon my renewed reference to this question on the ground of its pressing importance.

I have the honor to be, with much respect, your obedient servant,

N. P. BANKS,
Major-General, Commanding.

[Inclosure.]

OFFICE CHIEF COMMISSARY OF SUBSISTENCE,
New Orleans, October 24, 1863.

Maj. Gen. N. P. BANKS,
Commanding Department of the Gulf:

GENERAL: When you assumed command of the Department of the Gulf in December, 1862, the number of destitute poor thrown immediately upon you for support, and which have been subsisted upon provisions supplied by your order from the commissary department under my charge, was as follows, to wit:

Besides the inmates of eight orphan asylums and institutions for the maintenance of the indigent—since increased to twelve—numbering about 1,600, and the entire colored population of the State so far as it was thrown out of occupation and support by the disorder of the times and the flight of the employés as the army advanced, and the cupidity, avarice, and robbery of overseers and others, unrestrained by the former order of things, and many of whom were too young or too old to aid themselves in the least, whilst others for the time could find no employment, amounting to at least, in the aggregate, from 20,000 to 25,000 persons; besides all these, there were in the city of New Orleans alone, fed by the subsistence department as above:

For ten days in December, 1862—11,006 families, continually, at a cost of	$14,857.70
For the month of January, 1863—10,802 families, continually, at a cost of	49,141.29
For the month of February, 1863—10,805 families, continually, at a cost of	39,041.67
For the month of March, 1863—8,972 families, continually, at a cost of	39,758.59
For the month of April, 1863—7,009 families, continually, at a cost of	27,678.04
For the month of May, 1863—7,448 families, continually, at a cost of	41,409.40
For the month of June, 1863—7,620 families, continually, at a cost of	28,959.99
For the month of July, 1863—7,737 families, continually, at a cost of	35,953.57
For the month of August, 1863—7,822 families, continually, at a cost of	37,436.42
For the month of September, 1863—5,600 families, continually, at a cost of	30,005.31
Report of October 17, 1863, for October—5,917 families, and the cost will be at least	30,000.00
Total cost for ten and a half months	374,241.98

This sum, $374,241.98, fed the destitute in this city alone, and has been reimbursed to the commissary department by your order from the proceeds of property sequestrated and sold by the commission of sequestration instituted prior to your arrival and command of the Department of the Gulf.

The cost of subsisting the colored population and destitute beyond the limits of the city has been borne by the Subsistence Department of the Army, without compensation, at an expense nearly if not equal to that of the subsistence of our entire army for an equal period prior to this rebellion.

These are unequaled and unheard-of charities in any age or country, by any army, and completely reverse the very general rule of subsisting armies upon the countries in which they operate—for here we actually support the poor of the country we occupy.

Under the system inaugurated by you in the early spring of employing the vagrant and freed colored population by the cultivation of the abandoned plantations of those in arms against us, they were not only in a fair way of providing for themselves, but for their children and own infirm people. The transfer, however, of all these plantations to another department of the Government deprives you entirely of this means of aid to the great number of old and young negroes whose labor is not available in making plantation crops, and who are not provided for by that department of the Government now cultivating these lands.

The fund arising from the sale of sequestrated property, referred to above, is exhausted. The inclement winter months now at hand will again enormously increase the number of destitute families. In ten days other means must be found to provide for these wants. Without further orders the commissaries of subsistence must discontinue the issue of supplies to the destitute in this city.

Humanity, common sense, and necessity all would seem to require that if the General Government is to continue to provide for these people it should be done from the proceeds of property coming into the hands of Treasury agents from seizures and plantation culture.

The burden of providing for the poor should go with the available means of those who have brought destitution upon them. If these are not sufficient, this city at least, by taxes or loans, should contribute the necessary balance. In the meantime, however, I have the honor to request your instructions and orders for my government and that of the department under my charge.

I am, general, most respectfully, your obedient servant,

E. G. BECKWITH,

Col., A. D. C., and Chief Com. of Subsistence, Dept. of the Gulf.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 26, 1863.

Col. CONRAD BAKER,

1st Ind. Cav., Actg. Asst. Prov. Mar. Gen., Indianapolis, Ind.:

COLONEL: I inclose herewith letters of instructions to the provost-marshals of the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, and Eleventh Districts of Indiana in relation to procuring recruits. You will please see that the scheme proposed is carried out in the most favorable manner practicable. The Governor is now, as you are aware, raising some new regiments. You will, therefore, before putting this scheme into effect confer with him, and if he

has any modifications to propose, learn what they are and report to me upon them. I wish to act so as to secure entire harmony between the United States and the State in this effort to raise volunteers.

The experience of the State officers in recruiting volunteers will doubtless enable them to suggest to you those men heretofore connected with the recruiting service, who will be best qualified to carry out the views of the Department in this particular.

I inclose a letter to His Excellency the Governor, which you will please examine and deliver.* In presenting the same I desire you to say to His Excellency anything you may think calculated to serve the object expressed in the letter.

I am, colonel, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 26, 1863.

His Excellency ABNER COBURN,
Governor of Maine, Augusta, Me.:

SIR: I have the honor to inclose herewith a copy of a letter to Brig. Gen. R. A. Peirce, assistant quartermaster-general of Massachusetts. The principles contained in the letter will govern this Bureau so far as they may be applicable to your State.

I have the honor to be, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

(Similar letter as above sent through acting assistant provost-marshals-general to their Excellencies the Governors of New Hampshire, Vermont, Rhode Island, and Connecticut.)

[Inclosure.]

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 26, 1863.

Brig. Gen. R. A. PEIRCE,
Assistant Quartermaster-General of Massachusetts:

GENERAL: I have the honor to acknowledge the receipt of your letter of the 23d instant in behalf of His Excellency Governor Andrew, of Massachusetts, and to reply as follows:

You ask, first: "Such officers of regiments in the field as the Governor may desire shall be detailed for recruiting service in the State and under the direction of the Governor, the detail being first made from regiments whose term of service expires in 1864."

You ask, second: "When practicable, old regiments shall be sent home to be recruited under the direction of the Governor."

You ask, third: "The volunteers enlisted under this call will remain under the control of the Governor, at such camps or rendezvous as he may designate, until ready to be sent to their regiments in accordance with General Orders, No. 75, War Department, series of 1862."

You ask, fourth: "The Governor to have such an arrangement as he may desire in regard to the amount and mode of payment of premiums for obtaining recruits for old regiments and the persons to whom it is to be paid. Premium not to exceed $25 for veterans and

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*See October 22, p. 909.

$15 for new recruits, nor to be paid till the recruits are accepted by the United States."

I will do everything in my power to carry out the Governor's wishes in the four points expressed above.

Fifth. "Reports shall be frequently made to Major Clarke, U. S. Army, provost-marshal-general State of Massachusetts, of what is being done by the State; Major Clarke to have control of all expenses paid by the United States, the payment of bounties and premiums, and to be notified whenever recruits are ready to join their regiments."

Major Clarke, acting assistant provost-marshal-general, will be directed to keep himself in constant communication with the State authorities in the matter of this recruitment, and will have control of all expenses to be paid by the United States, the payment of bounties and premiums, and to report to the Provost-Marshal-General whenever recruits are ready to start for their regiments.

You ask, sixth: "Will the Governor be allowed to assure cities and towns who furnish their full quotas that they will not be liable to draft?"

The law as it exists does not permit me to give the assurance asked, but I will do what I can to have the matter set right by legislation.

You ask, seventh: "Will colored volunteers for the two colored regiments of Massachusetts, now in the field, be accepted as a part of the quota and receive the bounties paid to other recruits?"

They will be so accepted, but I cannot state at this time whether they will receive the bounties.

I am, general, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 26, 1863.

His Excellency HENRY A. SWIFT,
Governor of Minnesota, Saint Paul, Minn.:

SIR: I have the honor to inform you that Minnesota's quota of the 300,000 volunteers called for by the President's proclamation of the 17th instant is as follows: First District, 1,515; Second District, 1,424; total, 2,939.

This quota is the proportion of the 300,000 men which Minnesota should furnish, according to the number of men of the first class enrolled in that State, and without any regard to the quota assigned her for the present draft or the number of men which may be obtained under that draft.

The quota of Minnesota for the present draft was as follows: First District, 735; Second District, 690; total, 1,425. The quota of Minnesota, therefore, under the next draft, if such draft shall be rendered necessary through a failure to raise sufficient volunteers, will be 2,939, her proportion of the general quota of 300,000 under the proclamation of October 17, 1863, and, in addition, the deficiency, whatever it may be, if any, under the current draft for 1,425, such deficiency being subject to reduction by any excess of volunteers over 2,939, her proportion of the number called for by the President's proclamation of October 17, 1863.

If Your Excellency thinks it best to subdivide the quotas herein assigned to Congressional districts, and allot proportional parts to

smaller subdivisions of your State, I would suggest that for harmonizing the subject of credits in drafts hereafter you regard the enrollment of the first-class made by this Bureau as the basis of assignment. The provost-marshal-general of your State and the boards of enrollment in the different districts will give you all the aid in their power in this and all other matters connected with raising troops.

I have the honor to be, sir, very respectfully, your obedient servant.

JAS. B. FRY,
Provost-Marshal-General.

CONCORD, N. H., *October 26, 1863.*

Hon. E. M. STANTON:

Will the War Department consent that our State may raise one regiment of cavalry; also another company of heavy artillery for home use, the same as the last? Please answer by telegraph.

J. A. GILMORE,
Governor of New Hampshire.

ALBANY, *October 26, 1863.*

Col. J. B. FRY:

I have two statements from you about quota of New York under the proclamation. One says 38,268, the other 60,378. Which is correct?

HORATIO SEYMOUR.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 26, 1863.

His Excellency HORATIO SEYMOUR,
Governor of New York, Albany, N. Y.:

Sixty thousand three hundred and seventy-eight is the correct quota of New York under the proclamation of October 17. The quota was subdivided for different divisions, and perhaps the mistake originated in that way.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT, ORDNANCE OFFICE,
Washington, October 27, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I have the honor to submit the following report of the principal operations of the Ordnance Department during the last fiscal year, together with such remarks and suggestions as the magnitude of interests involved seems to require.

The fiscal means of the department since the last report, in November, 1862, have been as follows, viz:

Amount as per last report undrawn from the Treasury on June 30, 1862	$3,300,492.25
In the Government depositories to the credit of disbursing officers, same date	1,318,241.47
Amount of appropriations from that date to the end of the last fiscal year, including the fixed annual appropriation for arming and equipping the militia	72,066,888.00

Received since June 30, 1862, on account of damages to arms in hands of troops, from sales of arms to officers, from sales of condemned stores, and from all other sources not before mentioned	$146,152.84
Total	75,881,774.56
Amount of expenditures since June 30, 1862	42,813,630.21
In the Government depositories to the credit of disbursing officers, June 30, 1863	2,505,107.81
Remaining in the Treasury, same date	31,013,036.54
Total	75,881,774.56

The estimates for the next fiscal year have been prepared with care and will not admit of curtailment. They are based not only on the probable wants of the Army during that period, but embrace also the cost of fabrication of all the heavy guns and carriages which the united industrial forces of the large foundries and our arsenals can supply for the better arming of the sea-coast and frontier forts and batteries. Our supply of guns and carriages for these places is now far behind what it should be; and it is not only desirable, but of the utmost importance, that ample means should be placed at the disposal of the department to put them in a complete state of defense as speedily as possible.

The principal articles of military supplies which it is the duty of this department to provide, and which it has procured by fabrication and purchase, and which it has supplied to the Army during the fiscal year ending June 30, 1863, and also the number or quantity of each which remained on hand at the arsenals and depots at that date, are stated in detail in the accompanying statements.

From these it will be seen that the principal articles procured were:

Field cannon of different calibers	1,126
Siege cannon of different calibers	335
Sea-coast cannon of different calibers	116

CANNON BALLS, SHELLS, AND OTHER PROJECTILES.

For field artillery service		1,099,622
For siege artillery service		106,426
For sea-coast forts		45,947
Artillery carriages for field service		965
Artillery carriages for siege service		261
Artillery carriages for sea-coast forts		307
Mortar beds		99
Caissons, traveling forges, and battery wagons		871
Small-arms for foot soldiers		1,082,841
Small-arms for mounted troops		282,389
Infantry accouterments	sets	901,667
Cavalry accouterments	do	18,009
Horse equipments	do	94,639
Artillery harness for two horses, each	do	8,281
Gunpowder	pounds	5,764,768
Lead and lead bullets	do	48,719,862
Ammunition for artillery	rounds	1,435,046
Ammunition for small-arms	do	259,022,216
Percussion-caps		847,276,400
Friction-primers		3,925,369

In addition to the foregoing principal articles, finished complete, an immense amount of material has been prepared and advanced to different stages toward completion at the arsenals, embracing iron and wood work for artillery carriages and implements, projectiles and ammunition of all kinds for cannon, bullets for small-arm cartridges, leather work for harness, equipments, and accouterments. A large

number of artillery carriages and small-arms of every description, which had been disabled in service, have been repaired at the arsenals and refitted for service in the field.

The principal articles supplied to the Army during the same period were:

Field cannon of different calibers	1,108
Siege cannon of different calibers	288
Sea-coast cannon of different calibers	41

CANNON-BALLS, SHELLS, AND OTHER PROJECTILES.

For field artillery service	699,217
For siege artillery service	156,000
For sea-coast forts	84,530
Artillery carriages for field service	1,125
Artillery carriages for siege service	340
Artillery carriages for sea-coast forts	753
Mortar beds	207
Caissons, traveling forges, and battery wagons	1,040
Small-arms for foot soldiers	582,736
Small-arms for mounted troops	291,141
Infantry accouterments ..... sets	899,006
Cavalry accouterments ..... do	92,381
Horse equipments ..... do	109,600
Artillery harness for two horses, each ..... do	6,002
Gunpowder ..... pounds	5,337,765
Lead and lead bullets ..... do	31,139,103
Ammunition for artillery ..... rounds	1,069,863
Ammunition for small-arms ..... do	165,777,604
Percussion-caps	873,192,870
Friction-primers	3,719,740

Also large supplies of tools, materials, and spare parts for repairing and replacing in the field worn or lost parts of artillery carriages, small-arms, accouterments, and equipments of all kinds.

The stock of such principal articles remaining on hand in store at the arsenals and depots at the close of the fiscal year ending June 30, 1863, were as follows, viz:

Field cannon of different calibers	484
Siege cannon of different calibers	249
Sea-coast cannon of different calibers	679

CANNON-BALLS, SHELLS, AND OTHER PROJECTILES.

For field artillery service	474,515
For siege artillery service	234,893
For sea-coast forts	471,341
Artillery carriages for field service	359
Artillery carriages for siege service	44
Artillery carriages for sea-coast forts	633
Mortar beds	230
Caissons, traveling forges, and battery wagons	517
Small-arms for foot soldiers	836,000
Small-arms for mounted troops	124,897
Infantry accouterments ..... sets	162,010
Cavalry accouterments ..... do	2,498
Horse equipments ..... do	5,562
Artillery harness for two horses, each ..... do	1,767
Gunpowder ..... pounds	1,463,874
Saltpeter ..... do	8,155,079
Lead and lead bullets ..... do	23,024,085
Ammunition for small-arms ..... rounds	878,584,104
Ammunition for artillery ..... do	2,274,490
Percussion-caps	715,036,470
Friction-primers	6,062,505

Although this department has, as shown by the foregoing figures, procured by manufacture and purchase an immense quantity of supplies, the whole course of the war, but particularly of the past year, has most forcibly shown the bad policy, indeed the danger, of relying too much on private parties, no matter how large their resources, for the principal munitions of war. It is impossible for them to control fluctuations of the market in labor and material; and no private establishment can afford to keep large stocks of ordnance stores on hand, such as are required by the Government to meet its sudden wants. This can only be done by the Government itself; and to be able to meet all emergencies this department should have under its control ample means not only to supply but also for manufacturing all the principal munitions in its own shops. Warned by repeated lessons, energetic measures are now being taken to enlarge several of the principal arsenals, namely, Watertown, Watervliet, Allegheny, Saint Louis, Washington, and Benicia, Cal., so that the evils alluded to may be in future avoided.

During the past year large supplies of foreign manufactures have been procured, but much less than during the preceding year, owing to the increased development of our own resources. It is the intention of the department to procure, if possible, in this country every article required, whether in the crude or manufactured state, and with the exception of such articles as sulphur and saltpeter, there is no reason to doubt that this plan can be fully carried out; thus securing to our own people the benefit of our large expenditures, and rendering us independent of foreign nations.

The supply of saltpeter reported as on hand at the date of the last annual report remains intact, the department having found no difficulty in procuring ample supplies of gunpowder without having recourse to this reserve stock; and at the same time a large addition has been made to our supply of sulphur, rendering it ample for present wants.

As regards small-arms, we may now consider ourselves perfectly independent of foreign aid. The supply from the Springfield Armory alone for the coming year is estimated at not less than 250,000, while from private parties there will probably be received at least 250,000 more. Of carbines, for cavalry, the present capacity of established manufactories is not less than 100,000, and of pistols not less than 300,000, under contract to the department.

The wisdom of the measure adopted by the War Department in September, 1862, for the purpose of procuring a supply of iron suitable for manufacture of muskets and other fire-arms, the product of our own manufactures, avoiding the necessity of resorting to a foreign market, has been fully demonstrated. Iron of a quality fully equal to the celebrated irons manufactured in England and Norway is now produced in ample quantity to meet all our present wants, and the product can be increased to any desirable extent, thus relieving us entirely from our former dependence on European producers for this indispensable article.

In this connection I desire to call your attention to the entire inadequacy of the provision made for arming the militia of the States by the law of April 23, 1808, which appropriates annually $200,000 for this purpose, and the disbursement of which has since that time been under the control of this department. When this law was passed the entire population of the United States was 6,853,038, and the number

of men capable of bearing arms, whom it was intended to supply, was at least 1,439,127. From that day to this there has been no further legislation on this subject affecting this amount, and while to-day the number of men in the loyal States capable of bearing arms, and for whose arming especially at this time the most liberal provision should be made, is about 4,800,000, no purchases on this account can be made except from the small appropriation of $200,000. If the principle which led to the passage of this law in 1808 was a correct one then, it certainly is equally so now; and the experience through which the country has passed during the last two years has illustrated more forcibly than ever before the imperative necessity of a well-organized and well-armed militia to act as a reserve force. This being the case, if $200,000 was considered by Congress as a proper sum to appropriate for this object in 1808, then, taking merely the increase of population as an argument, $1,000,000 is the proportionate amount now. But if we consider the fact that our very existence as a nation is now the question at issue, threatened as we are with dangers on all sides, I do not think an appropriation of $2,000,000 for this object any too much at this time. Already, in view of extraordinary exigencies which have arisen, there have been issued, by your direction, to certain of the loyal States arms and accouterments of a value far in excess of the appropriation, and I earnestly recommend that the attention of Congress be called to this fact, in order that, while legislating on the subject, at least $1,000,000 may be applied to meet this excess and cover the cost of a sufficient number of arms and accouterments, to enable this department to distribute to the remaining loyal States the same proportionate quantity as have already been issued to those before mentioned, to whom a distribution has already been made.*

I beg leave most earnestly to bring to your notice the necessity of an increase in the number and rank of the officers of the Ordnance Department, and to recommend it to your favorable consideration. Organized upon a different basis from the corps constituting the line of the Army, and with varied duties involving high responsibilities, an increase of rank is essential to give proper influence to chiefs of ordnance to armies in the field, and as an act of justice to the commandants of the more important armories and arsenals.

By the tenth section of the act of Congress of July 17, 1862, one assistant adjutant-general, one quartermaster, one commissary of subsistence, and one assistant inspector-general, who shall have, respectively, the rank of lieutenant-colonel, constitute the staff of commanders of army corps, whilst no such additional rank is conferred on the ordnance officer representing his department at the same headquarters, and whose functions are not of less importance to the Army—a distinction manifestly invidious and without just reason. The duties and responsibilities pertaining to the commanders of armories and the larger arsenals are, as you are aware, without limitation, involving the control of a very large amount of public money, and embracing in their general operations the supervision of almost every department of the mechanic arts. The present limited and, indeed, inadequate organization of the department has devolved upon its officers an amount of labor which nothing short of untiring zeal and devotion to the interests of the service could have accomplished, and which I should be wanting in justice to them not to bring to your special notice. Their intelligent co-operation has

*Portion of report (here omitted) relates to establishment of a large arsenal and depot in vicinity of New York City.

enabled the department to meet successfully all the requirements of the war, and to keep an army of great magnitude operating over no limited space adequately supplied at all points with ordnance and ordnance stores in quantity and quality heretofore, it is believed, unsurpassed. In this connection I would also beg leave to call your attention to the military store-keepers and paymasters of the Ordnance Department. It is believed that no class of officers, in view of their responsibilities and duties, are so inadequately compensated; and I see no just reason why they should not be, within certain limits, placed upon the same footing with paymasters and quartermasters of the Army.

The enormous increase in the Army during the year 1861 has, necessarily, greatly augmented the business of this office, and hence it became indispensably requisite that some system should be adopted by which this vast increase could be managed and controlled. During the past year this has been most successfully accomplished. The office is now separated into eleven divisions, each distinct in its duties and organization, but each forming part of the whole system of executive administration. Each division is in charge of an experienced clerk, through whom all business appertaining to the division is conducted. There are now in the hands of the Army, and stored at the forts, floating property to the amount of over $40,000,000. The property accountability for these stores is a most important matter, and here the value of the system introduced is well illustrated. The number of property returns received during the year 1862 was 2,690. During the same period there were 20,000 officers who were accountable for ordnance stores, from whom 80,000 returns were due, but from whom only the above number were received; whereas the number of such returns which will be received at this office during 1863 is estimated at 60,000. In the other divisions of the office the absolute necessity of the system introduced is daily shown.

Congress at its last session increased the clerical force in this office to thirty-six. Since that time this number has been found totally inadequate to meet even the demands of the daily business, much less to prepare and arrange the necessary data which should be always at hand in an important department like this. After a most careful consideration of the subject I most earnestly recommend that this force be increased so as to authorize six clerks of class four; nine of class three; fifteen of class two, and one hundred of class one; three folders and pressmen, and seven messengers. It will require this entire force for at least one year to bring up the arrears and enable this department to keep up with the advance of the times.

I cannot conclude this report without calling your attention to the many facilities and courtesies which have been extended to this department by the very efficient Ordnance Bureau of the Navy, and which it affords me much gratification to acknowledge, and also to state that the two branches of the service act in harmonious concert to promote the greatest good to the public interest intrusted to them.

I have the honor to remain, very respectfully, your obedient servant,

GEO. D. RAMSAY,

Brigadier-General and Chief of Ordnance.

Ordnance, arms, ammunition, and other ordnance stores, procured and supplied to the Army since the beginning of the rebellion, and the quantity remaining on hand in the arsenals June 30, 1863.

No. 1.—CANNON AND MORTARS.

	Field guns.	Siege guns.	Sea-coast guns and mortars.	Total number.
On hand at the beginning of the rebellion	231	544	1,566	2,283
Purchased since	2,734	546	418	3,698
Total stock	2,965	1,090	1,926	5,981
Issued from the arsenals during the same period	2,481	841	1,247	4,569
Remaining on hand at the arsenals June 30, 1863	484	249	679	1,412

GEO. D. RAMSAY,
Brigadier-General and Chief of Ordnance.

ORDNANCE OFFICE, *October 27, 1863.*

No. 2.—CANNON-BALLS, SHELLS, AND OTHER PROJECTILES.

	Field.	Siege.	Sea-coast.	Total number.
On hand at the beginning of the rebellion	90,199	131,036	142,356	363,591
Purchased up to June 30, 1863	1,912,894	242,155	407,695	2,562,744
Total stock	2,003,093	373,191	550,051	2,926,335
Issued from the arsenals during same period	1,528,578	138,296	78,710	1,745,586
Remaining on hand at the arsenals June 30, 1863	474,515	234,893	471,341	1,180,749

GEO. D. RAMSAY,
Brigadier-General and Chief of Ordnance.

ORDNANCE OFFICE, *October 27, 1863.*

No. 3.—ARTILLERY CARRIAGES.

	Field.	Siege.	Sea-coast.	Mortar beds.	Caissons.	Traveling forges.	Battery wagons.	Total No.
On hand at the beginning of the rebellion.	266	104	1,787	106	213	117	60	2,653
Purchased since, up to June 30, 1863.	1,948	154	45	97	2,063	348	226	4,881
Fabricated at the arsenals	637	484	509	234	223	58	64	2,209
Total stock	2,851	742	2,341	437	2,499	523	350	9,743
Issued from the arsenals during the same period.	2,492	698	1,719	207	2,139	431	285	7,971
Remaining on hand June 30, 1863.	359	44	622	230	360	92	65	1,772

GEO. D. RAMSAY,
Brigadier-General and Chief of Ordnance.

ORDNANCE OFFICE, *October 27, 1863.*

No. 4.—SMALL-ARMS.

	Muskets and rifles.	Carbines.	Pistols.	Sabers and swords.	Total number.
On hand at the beginning of the rebellion	437,433	4,076	27,192	16,933	485,634
Purchased since, up to June 30, 1863	1,622,552	107,367	230,761	337,565	2,298,225
Manufactured at the National Armory	327,592	.....	.....	.....	327,592
Total stock	2,387,577	111,443	257,953	354,488	3,111,461
Issued from the arsenals during the same period	1,551,576	96,118	229,052	271,817	2,150,563
Remaining on hand June 30, 1863	836,001	13,325	28,901	82,671	960,898

GEO. D. RAMSAY,
Brigadier-General and Chief of Ordnance.

ORDNANCE OFFICE, *October 27, 1863.*

No. 5.—ACCOUTERMENTS, HORSE EQUIPMENTS, AND HARNESS.

	Accouterments.		Horse equipments.	Sets of harness for two horses.	Saddle blankets.
	Infantry.	Cavalry.			
On hand at the beginning of the rebellion	10,930	4,320	574	586	.....
Purchased since, up to June 30, 1863	1,809,501	181,428	208,041	15,452	343,334
Fabricated at the arsenals	21,799	13,048	13,617	3,214	.....
Total stock	1,842,230	198,796	217,232	19,252	343,334
Issued from the arsenals during the same period.	1,680,220	196,298	211,670	17,485	292,708
Remaining on hand June 30, 1863	162,010	2,498	5,562	1,767	51,126

GEO. D. RAMSAY,
Brigadier-General and Chief of Ordnance.

ORDNANCE OFFICE, *October 27, 1863.*

No. 6.—POWDER AND LEAD.

	Gunpowder.	Saltpeter.	Lead.	Lead bullets.
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*
On hand at the beginning of the rebellion	1,110,584	2,923,348	636,986	664,800
Purchased since, up to June 30, 1863	13,424,363	5,231,731	58,211,345	13,565,429
Total stock	14,534,947	8,155,079	58,848,311	14,230,229
Issued and expended	13,071,073	.....	36,964,121	13,090,304
Remaining on hand June 30, 1863	1,463,874	8,155,079	21,884,190	1,139,835

GEO. D. RAMSAY,
Brigadier-General and Chief of Ordnance.

ORDNANCE OFFICE, *October 27, 1863.*

No. 7.—AMMUNITION.

	Cartridges for small-arms.	Rounds of artillery ammunition.	Percussion-caps.	Friction-primers.
On hand at the beginning of the rebellion	8,292,300	28,348	19,806,000	83,425
Purchased since, up to June 30, 1863	74,662,963	116,032	699,668,400	1,569,574
Fabricated at the arsenals	447,542,733	2,622,714	79,806,600	5,504,135
Total stock	530,497,116	2,766,994	799,283,000	7,068,134
Issued and expended	378,584,104	2,274,490	715,096,470	6,062,505
Remaining on hand June 30, 1863	151,913,012	492,504	74,246,530	1,005,629

GEO. D. RAMSAY,
Brigadier-General and Chief of Ordnance.

ORDNANCE OFFICE, *October 27, 1863.*

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., October 27, 1863.

Maj. Gen. R. C. SCHENCK,
Commanding Middle Department, Baltimore, Md.:

GENERAL: By direction of the Secretary of War, please find inclosed herewith Circular No. 1, announcing the recruiting stations established in Maryland under the provisions of General Orders, No. 329, current series, War Department, which circular you will please cause to be published in such newspapers within the limits of your department as will give it the most extensive circulation.

It is not considered imperatively necessary that recruiting should be at once commenced at all the stations therein named; you will be

guided in this matter by the number of officers available for the recruiting service.

I have the honor to be, &c.,

C. W. FOSTER,
Assistant Adjutant General.

[Inclosure.]

CIRCULAR No. 1.

WAR DEPT., ADJT. GENERAL'S OFFICE,
BUREAU FOR ORGANIZATION OF COLORED TROOPS,
Washington, D. C., October —, 1863.

In accordance with orders from the President of the United States the following recruiting stations have been established for colored troops in the State of Maryland:

Baltimore; Havre de Grace, Harford County; Broad Creek, Cecil County; Chestertown, Kent County; Queenstown, Queen Anne County; Kent Island Landing, Kent County; Oxford, Talbot County; Slaughter's Creek, Dorchester County; Princess Anne Wharf, Somerset County; Forrest Wharf, Saint Mary's County; Leonardtown, Saint Mary's County; Benedict, Charles County; Lower Marlborough, Calvert County; Monocacy, Frederick County; Hagerstown, Washington County; Annapolis, Anne Arundel County; Ellicott's Mills, Howard County; Cherrystone Creek, Northampton County [Va.]; Chesconessex, Accomac County [Va.].

All claims by alleged owners of slaves who may be enlisted will be laid before the Board appointed by the President, and consisting of Hugh L. Bond, Thomas Timmons, L. E. Straughn.

The Board will hold its sessions at Baltimore, Md.

Rolls and recruiting lists will be furnished the Board for public information, and on demand exhibited to any person claiming that his or her slave has been enlisted.

Claims must be presented within ten days after the filing of the said rolls.

No claims will be received or entertained from any person who is or has been engaged in rebellion against the Government of the United States, or who in any way has given aid, or shall give aid, or comfort to the enemies of the Government; and all claimants shall file with their claims an oath of allegiance to the Government of the United States.

Col. William Birney, Second U. S. Colored Troops, recruiting and mustering officer for the State of Maryland, will furnish official copies of all muster-in rolls for the information and guidance of the above Board.

Any citizen of Maryland who shall offer his or her slave for enlistment into the military service shall, if such slave be accepted, receive from the recruiting officer a certificate thereof, with a descriptive list of such slave, and become entitled to compensation for the service or labor of said slave, not to exceed the sum of $300, upon filing with the above board a valid deed of manumission and release, and making satisfactory proof of title, and any slave so enlisting shall be forever thereafter free.

All enlistments will be made in accordance with the provisions of General Orders, No. 329, current series, War Department.*

By order of the Secretary of War:

C. W. FOSTER,
Assistant Adjutant-General of Volunteers.

* See. p. 860.

PROVOST-MARSHAL-GENERAL'S OFFICE,
NINTH DISTRICT OF MASSACHUSETTS,
Greenfield, October 27, 1863.

[Governor J. A. ANDREW:]

HIS EXCELLENCY: I appeal to you, our Governor, to see that the National Government, in its recruiting, does justice to all the citizens of our State.

A few weeks since orders were received for the appointment of recruiting officers and the enlistment of volunteers for regiments now in the field, the volunteer to have the choice of regiments. This order made no distinction of color, and it was supposed that all citizens of this Commonwealth had a right to enlist and receive the large bounties offered. We now learn, after a number had volunteered, that the Department has decided that colored volunteers are not entitled to the bounties. This is gross injustice to the citizens of this district and this State. Our colored men are citizens. Their names are registered among the enrolled militia of the United States. A number of them have been drawn in the draft. Some of these have gone to the war, others have furnished substitutes or paid commutation. We shall oblige them to stand their chance in the draft of January, and, if drawn, shall compel them to go, furnish substitutes, or pay.

Shall we compel these men to pay their hard-earned money that a bounty fund may be created, and then utterly debar them from taking advantage of those bounties?

If these premiums can be paid to colored men nearly every able-bodied one in this district will go, but if not, they will wait for the draft; so that for every bounty refused a colored man there will be one added to the quota for the next draft. I understand also that Government is paying $300 apiece to the slaveholders of Maryland for such slaves as enlist. Are not our free citizens as much value to themselves, their families, the State, the country, the Army as the slaves of Maryland are to the tyrants of that border land? Governor, I trust you will see justice done.

I have the honor to be, with great respect, your most obedient servant,

ZENAS W. BLISS.

[Indorsement.]

BOSTON, *October 28, 1863.*

Respectfully referred to Brigadier-General Peirce with the request that he will represent the inclosed case to the War Department.

J. A. ANDREW.

CIRCULAR.] NATCHEZ, MISS., *October 27, 1863.*

The following regulations for the government of the commissioners for leasing plantations are published for the information of all concerned:

I. The primary objects are to line the banks of the Mississippi River with a loyal population and to give aid in securing the uninterrupted navigation of the river, at the same time to give employment to the freed negroes whereby they may earn wages and become self-supporting.

II. The property of disloyal persons of right belongs to the United

States, and when required may be taken. Such is the case with plantations, crops, &c., owned by them, which the commissioners may take possession of and lease the plantations to loyal citizens.

III. The plantations of men of undoubted loyalty, especially those who have been so from the beginning of the rebellion, will be occupied and managed by themselves or leased by them to loyal citizens. In case they do neither, the commissioners may take possession and lease, as in the above case.

IV. Men of doubted loyalty, if permitted to cultivate their plantations, will be required to take as a partner a loyal citizen.

By order of the Secretary of War:

L. THOMAS,
Adjutant-General.

WAR DEPARTMENT,
Washington City, October 27, 1863.

Hon. JOSEPH A. GILMORE,
Governor of New Hampshire, Concord, N. H.:

Your request that your State may raise one regiment of cavalry, and also another company of heavy artillery for home use, has been considered and cannot be granted. The service requires that all the troops that can be raised by volunteering or draft should go to fill up the old regiments because their value is thus more than doubled.

EDWIN M. STANTON,
Secretary of War.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,
Madison, October 27, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: In accordance with our understanding I have issued the inclosed proclamation to the people, but learn to my surprise to-day that neither Lieutenant-Colonel Lovell, acting assistant provost-marshal for this State, nor Major Sitgreaves, mustering officer, have yet received instructions concerning the bounties for recruits for old regiments.

Colonel Lovell also informs me that he had been instructed that the quotas of districts and sub-districts would be assigned by you and sent him. If that is so, will he not be instructed to credit what arises down to the day of the draft from the time covered by your assignment? I understood this to be the principal reason for making him recruiting superintendent. Please give him full and explicit instructions upon all points, since he seems to be very much in the dark about everything concerning the draft and the manner of giving credit, &c., for want of instructions.

He also stated to me that he did not know whether the draft was to be executed in the whole State at the same time or successively by districts. I informed him that you said you would leave that to the judgment of General Pope and myself, and that the draft should be made by districts, one after another. I have since then conferred with General Pope, and he and I agree in the propriety of commencing with the First District and continuing it numerically by districts until finished.

Very respectfully,

EDWARD SALOMON,
Governor of Wisconsin.

[Inclosure.]

PROCLAMATION.

TO THE PEOPLE OF THE STATE OF WISCONSIN:

Whereas, in addition to the draft of 20 per cent. of the first class of the enrolled national forces heretofore called for, the President of the United States, by his proclamation of the 17th instant, has made a call for 300,000 volunteers; and

Whereas, duty and patriotism demand that the draft should be cheerfully submitted to and the new call promptly answered by the people of Wisconsin as they have always been ready to comply, and have more than complied with all previous calls heretofore made upon them in support of our national integrity and for the maintenance and vindication of the Union, the Constitution, and the laws:

Now, therefore, and in order that the people of Wisconsin may be more fully and definitely advised concerning the proportion of men required from this State under those two calls, the mode of distributing and filling the same, and other points connected therewith, I, Edward Salomon, Governor of the State of Wisconsin, do hereby give the following information of regulations adopted by the Government of the United States, and of other matters connected with said two calls so far as I am advised of the same:

First. Concerning the draft now pending, the execution of which will commence on the 9th day of November next, the number of men of the first class enrolled in the six Congressional districts, including twenty towns or sub-districts not yet reported, but estimated at 1,000, will be 68,845 (which will vary but very little from the exact number when fully ascertained), 20 per cent. of which would make the quota of Wisconsin 13,769. Our State has furnished an excess of troops over all previous calls, reducing it all to the standard of three-years' men, of between 4,000 and 5,000, all of which will be credited to the State, each Congressional district receiving credit for the excess furnished by it, so that the number to be furnished under this draft by the State will be reduced to 8,000 or 9,000. It is not deemed practicable by the officers of the General Government to bring the system of giving credit for troops heretofore furnished down to towns or wards, but the number of men required from a Congressional district will be distributed among its towns and wards, in proportion to the number of men of the first class enrolled in each town or ward.

All men enlisting before the draft in the Thirty-fifth Regiment Wisconsin Volunteers, or in any of the companies of artillery now in process of organization, as well as all those who have heretofore enlisted in any old regiment or company in the field, will be properly credited on this draft.

Second. Concerning the new call of 300,000 volunteers, upon the estimated enrollment of 68,845 men of the first class, the quota for Wisconsin under this call would be 9,724, which will vary but slightly from the exact number when definitely ascertained. This number will be assigned to districts according to the number of men enrolled therein of the first class, and upon the same principle it can be ascertained by the people of any town or ward what their respective quotas will be, for the number of men required from any particular town or ward will be in the same proportion to the number of men enrolled of the first class in such town or ward that 9,724 bears to 68,845.

This call is intended particularly to fill old regiments in the field, and the Government will therefore pay to any new recruit for any

regiment in the field one month's pay in advance and a bounty and premium of $302, as follows:

1. At the general rendezvous, and before leaving the same to join his regiment or company, the recruit accepted under this authority will be paid one month's pay in advance, $13; first installment of bounty, $60; premium, $2; total pay before leaving general rendezvous, $75. To be paid in cash, or checks for transmittal, in whole or in part, as the recruit may desire.

2. At the first regular pay-day, or two months after muster-in, an additional installment of bounty will be paid, $40, making pay and bounty then received, $66.

3. At the first regular pay-day after six months' service, in addition to the pay, he shall be paid, in addition, installment of bounty, $40.

4. At the first regular pay-day after the end of the first year's service, in addition to his pay an additional installment of bounty will be paid, $40.

5. At the first regular pay-day after eighteen months' service, in addition to his pay an additional installment of bounty will be paid, $40.

6. At the first regular pay-day after two years' service, in addition to his pay an additional installment of bounty will be paid, $40.

7. At the expiration of three years' service, or to any soldier who may be honorably discharged after two years' service, the remainder of the bounty will be paid, $40.

If the Government shall not require these troops for the full period of three years, and they shall be mustered honorably out of the service before the expiration of their term of enlistment, they shall receive, upon being mustered out, the whole amount of bounty remaining unpaid, the same as if the full term had been served. The legal heirs of recruits who die in service shall be entitled to receive the whole bounty remaining unpaid at the time of the soldier's death. Veterans receive one month's pay in advance and a bounty and premium of $402, in installments, as heretofore published, and may enlist in any old or new regiment.

Persons not veterans, enlisting in any of the new organizations in this State, to wit, the Thirty-fifth Infantry, or any of the new artillery companies, will receive one month's pay in advance, and the ordinary bounty of $100, as heretofore published. Besides the Thirty-fifth Regiment and the artillery companies now in process of organization no new organizations will be formed, but recruiting will be confined to old regiments.

By furnishing the number of men required from any town or ward by volunteering before the 5th day of January, such town or ward will be exempt from the draft mentioned in the proclamation of the President, and which is to be made to fill the deficiency then existing in any State.

It is also probable that any deficiency arising on the present draft or existing on any previous call in any of the States will be made up by the draft on the 5th of January next.

Enlistments for old regiments may be made through the assistant provost-marshals and through recruiting officers detailed for that purpose from the field. The whole subject of the draft, recruiting, and enlistments are under the control of the Provost-Marshal-General and his assistants.

As the people of Wisconsin have evinced their patriotism heretofore upon every occasion where the Nation has made a call for men in the present great national struggle, I trust that they will not fail to

fill their quota of volunteers under this call by the appointed day. The rebellion has received many a severe blow during the past two years. It has been crippled and narrowed down; all its hopes of aid from without have failed; the last able-bodied white man in its power has been driven into its ranks; it can make but one last desperate effort with its armies now in the field. Under these circumstances, shall our National Government—shall our brave men in the field—call in vain for re-enforcements by volunteering? I trust not. We cannot and must not stop halfway, but must sustain our brave brothers in the field and struggle on until this rebellion is suppressed. If this new call for volunteers, intended to fill the ranks of the decimated old veteran regiments, is answered promptly, it will give more real strength to our Army than any previous call has ever done, because the strength and value of the new levy will not be crippled and wasted by inexperienced officers, but will be made to tell its full weight and power under experienced leaders.

In testimony thereof I have hereunto set my hand and caused the great seal of the State to be affixed this 24th day of October, A. D. 1863.

EDWARD SALOMON.

By the Governor:

EDWARD ILSLEY,
Assistant Secretary of State.

EXECUTIVE MANSION,
Washington, D. C., October 28, 1863.

Hon. ANDREW JOHNSON,
Nashville, Tenn.:

If not too inconvenient, please come at once and have a personal consultation with me.

A. LINCOLN.

STATE OF OHIO, EXECUTIVE DEPARTMENT,
Columbus, October 28, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

DEAR SIR: I have your favor of the 19th instant* fixing the quota of this State of the 300,000 volunteers called for by the President's proclamation of the 17th instant.

I deem it advisable to allot the proportional parts to smaller subdivisions than Congressional districts, and will adopt the mode you recommend to accomplish that end.

Respectfully, yours,

DAVID TOD,
Governor.

GENERAL ORDERS, No. 351. WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, October 29, 1863.

The employment of women nurses in the U. S. general hospitals will in future be strictly governed by the following rules:

1. Persons approved by Miss Dix or her authorized agents will receive from her, or them, "certificates of approval," which must be

* Not found.

countersigned by medical directors upon their assignment to duty as nurses within their departments.

2. Assignments of "women nurses" to duty in general hospitals will only be made upon application by the surgeons in charge, through medical directors, to Miss Dix or her agents, for the number they require, not exceeding one to every thirty beds.

3. No females, except hospital matrons, will be employed in general hospitals, or, after December 31, 1863, borne upon the muster and pay rolls, without such certificate of approval and regular assignment, unless specially appointed by the Surgeon-General.

4. Women nurses while on duty in general hospitals are under the exclusive control of the senior medical officer, who will direct their several duties, and may be discharged by him when considered supernumerary, or for incompetency, insubordination, or violation of his orders. Such discharge, with the reasons therefor, being indorsed upon the certificate, will be at once returned to Miss Dix.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

OFFICE COMMISSARY-GENERAL OF SUBSISTENCE,
Washington City, October 29, 1863.

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: I have the honor to submit the following report of the operations of this department during the past year:

The subsistence for the Army, with the exceptions of fresh beef and flour, has in great part been procured by advertising for bids, and selecting the lowest for suitable articles, in the cities of Boston, New York, Philadelphia, Baltimore, Cincinnati, Louisville, and Saint Louis.

Flour has, when possible, been procured in the same manner at points nearer to our armies. Fresh beef has been obtained in general by contract; sometimes on the hoof and at other times from the block.

On the coast of the Carolinas and the Gulf, and, for a large portion of the year, at New Orleans, beef has been forwarded on the hoof from New York.

It is believed that at every point the troops have been supplied with abundance of good, wholesome food, and that if in movements of our armies a temporary want has been felt, it has not been due to any cause over which the officers of this department had control.

In addition to the troops, subsistence has been furnished to all prisoners, whether political or war, to large numbers of contrabands, and to suffering Union families found by our armies in the rebel States.

Great improvement has taken place in the rendering of their accounts by volunteer officers, although cases of neglect still exist.

The few regular officers of this department have had heavy labors and responsibilities imposed upon them, and have exhibited intelligence, integrity, and zeal.

With great respect, your most obedient servant,

J. P. TAYLOR,
Commissary-General of Subsistence.

STATE OF INDIANA,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Indianapolis, Ind., October 29, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

SIR: I have the honor to acknowledge the receipt of your communication of the 26th instant, with printed circular letters relative to recruiting for the old regiments of this State, bearing date the 22d instant and addressed to the district provost-marshals, respectively.

Pursuant to your directions I have had a conference with His Excellency Governor Morton on the subject and we both concur in the opinion that it would not now be expedient to put that part of the scheme for recruiting set forth in the printed circular into effect which proposes to pay a premium for recruits to the deputized persons contemplated by the circular. The reason for this is that Governor Morton has already devised and put into operation a system of county and township committees through which the people will be addressed and stirred up to the performance of their duties toward the Government, and nearly all of this labor will be performed without compensation, and a few deputized persons would receive pay for obtaining recruits to the obtaining of whom they would not have contributed as others who labored for the good of the cause. In addition to this it would create a discrimination against the eleven new regiments now being raised, and as one non-commissioned officer or private from each company is to be detailed to recruit for the old regiments it would discourage them if they saw these deputies getting from $15 to $25 for each recruit whilst no premium was allowed to them. As the work of raising the new regiments has been commenced and is now progressing, and the expense of opening camps and erecting temporary barracks has been incurred, it is highly important that these regiments should be raised. Governor Morton, whose means of knowledge are far better than my own, assures me that he has no doubt of his ability to raise the eleven new regiments. It will be necessary, however, that the time for raising the regiments should be extended for thirty or forty days, as the time during which the increased bounty for recruits in the new regiments will be paid is limited to the 10th day of November. I earnestly recommend that the time during which this increased bounty for recruits for the new regiments will be paid be extended without delay, as some of the persons engaged in recruiting are discouraged, knowing as they do that they cannot fill their regiments by the 10th of November and fearing that the increased bounties will not be paid after that date. By the time the details from the old regiments for the recruiting service arrive it is hoped and believed that the new regiments will be full or nearly so, and hence there will be little competition between them.

I will not issue the circular letter to the district provost-marshals until further instructed by you.

Respectfully, your obedient servant,

CONRAD BAKER,
Colonel and Actg. Asst. Prov. Mar. Gen. for Indiana.

[OCTOBER 28, 1863.—For General Sherman's General Orders, No. 4, authorizing impressment of citizens into the military service, see Series I, Vol. XXXI, Part I, p. 767.]

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 29, 1863.

Maj. J. W. T. GARDINER,
Actg. Asst. Prov. Mar. Gen. for Maine, Augusta, Me.:

MAJOR: The Provost-Marshal-General directs me to say that he desires you to push to an early completion the business of the draft in the districts under your charge, so that the respective boards of enrollment may be enabled to devote their entire energies to the recruiting of volunteers, as already ordered by this Bureau.

I am, major, very respectfully, your obedient servant,
GEO. D. RUGGLES,
Assistant Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 29, 1863.

Col. ROBERT NUGENT,
69th N. Y. Vols., Actg. Asst. Prov. Mar. Gen. for New York City:

COLONEL: I inclose herewith letters of instructions to the provost-marshals of the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, and Tenth Districts of New York in relation to procuring recruits. You will please see that the scheme proposed is carried out in the most favorable manner practicable.

You will forward them to the provost-marshals with instructions to commence the enlistment of these volunteers, as herein directed, at once.

In relation to the persons to be deputized for each district as recruiting agents, I wish you to confer with the State authorities and see that the most suitable selections are made. The experience of the State officers in recruiting volunteers will doubtless enable them to suggest to you those men heretofore connected with the recruiting service who will be best qualified to carry out the views of the department in this particular.

On this point I desire you to be careful to secure and give consideration to the views of the Governor and his adjutant-general. I inclose a copy of a letter of the 21st ultimo [instant] to His Excellency the Governor, which you will please examine.*

I desire you to say to His Excellency anything you may think calculated to secure the object expressed in the letter.

I am, colonel, very respectfully, your obedient servant,
JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 29, 1863.

Lieut. Col. CHARLES S. LOVELL, U. S. Army,
Actg. Asst. Prov. Mar. Gen. for Wisconsin, Madison, Wis.:

COLONEL: I inclose herewith letters to the boards of enrollment of the six districts of Wisconsin, directing that a draft be made in those districts for the numbers assigned to the several sub-districts. The quotas of the districts were as follows: First District, 2,768; Second District, 1,251; Third District, 1,079; Fourth District, 2,049; Fifth District, 1,894; Sixth District, 1,139. The draft will be for these

* See p. 906.

quotas with 50 per cent. additional. Please forward the orders at once.

In making up the quotas the several Congressional districts have been allowed for all troops mustered in up to October 12, 1863. For all volunteers that have been or may be mustered in the U. S. service (from that date, October 12) up to the date of the draft, credit is to be allowed on the quotas of the sub-districts where the men mustered in can be clearly appropriated to sub-districts. As many mustered in as cannot be determined to belong to sub-districts may be credited to the district at large, and the quotas of sub-districts reduced (to the extent of those so credited to the district at large) in the ratio of their enrollment, or what is the same thing, in the ratio of their quotas as assigned in the accompanying orders.

To determine the number by which the quotas of sub-districts are to be reduced, for men so mustered in, the number of men mustered and 50 per cent. additional are to be deducted from the quotas fixed in the orders for draft.

It will be understood that the localities from which men volunteer in the interval between the dates just mentioned will be so indicated in the returns of mustering officers that there will be no difficulty in crediting districts at least with all such, and that accordingly the quota of the State at large will not require to be reapportioned to districts on account of men so mustered in.

The direction of the foregoing matter, in relation to credits for men mustered in from October 12 to the date of the draft, is hereby intrusted to you, to be exercised according to your best judgment and discretion, without reference to this office for instruction as to details. Report, however, definitely any action you take in this matter.

Men raised by virtue of the increased bounty offered for recruits for old regiments are to be credited on the quota of 300,000 volunteers called for by the President's proclamation of the 17th instant, and not on present draft.

In regard to the lists of volunteers from towns, &c., heretofore forwarded by you, it will be understood that credit has been given for such in the quotas of districts, and that all question in regard to them must be considered as closed.

You will, by yourself and by your inspectors, give personal supervision to the draft in the different districts under your charge. You will see that the boards make the draft immediately upon being ordered to do so, and that the drafted men are notified, with the least possible delay, to appear at district headquarters.

Enrolling officers will, perhaps, from their experience, be the most suitable persons to serve these notices. If so, you will have them deputized for this purpose. You will see that drafted men arriving at district headquarters are immediately directed where to report, that they are properly cared for, that they are promptly and fairly examined by the board; that immediately thereafter, if not exempted, their names be entered on descriptive rolls of drafted men; that they be at once placed in uniform and furnished with the articles prescribed in paragraph 4, Circular No. 11 from this office, and that as soon as this is done they be sent forward to the general rendezvous in squads of convenient size.

You will see that clothing, knapsacks, haversacks, canteens, blankets, knives, forks, spoons, tin cups and tin plates are provided and on hand at the headquarters of each district in advance of the draft.

If any drafted men, after having been notified to appear at a designated time and place, fail to do so, you will see that they are at once arrested as deserters.

You will see that the regulations in regard to the draft are observed, and you will take pains, by every means in your power, to anticipate and provide for all wants and emergencies of this special service. Please acknowledge the receipt of this letter.

I am, colonel, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

P. S.—In making credits to sub-districts for number mustered in in the interval indicated the following memoranda will be found useful.

First. Where a sub-district constitutes in a single town, deduct from the quotas as assigned in the orders for draft the number mustered in and 50 per cent. additional. The remainder will be the number to be drawn, and two-thirds of it will be the quota required.

Second. There will be no draft from sub-districts which have raised their full quotas; that is to say, two-thirds of the number assigned in the accompanying orders.

Third. When a city or town is divided into two or more sub-districts, and the returns of the mustering officer do not recognize and indicate such subdivision, the deduction to be made on account of volunteers mustered in from the entire city or town will be credited to the several sub-districts in the proportion of their quotas.

Fourth. In cases where sub-districts are made up of two or more towns, &c., and the returns of mustering officers only recognize and indicate such towns, &c., let the draft be made for the full number set down in the accompanying orders for draft, and strike off the names of men last drafted (highest numbers in the order of the draft) in the several towns, &c., to the extent of the volunteers so mustered in from such towns, &c., and 50 per cent. additional. Where in any such sub-districts none are drawn from a township so entitled to credit, let the credit stand to the town for the next draft.

OFFICE OF THE SIGNAL OFFICER,
October 30, 1863.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.:

SIR: The average number of officers on duty in the Signal Corps of the Army since my last annual report has been 198. These have served with different armies and different military departments, with nearly the following distribution:

In the Army of the Potomac	36
In the Department of the Cumberland	42
In the Department of the Gulf	15
In the Department of North Carolina and Virginia	18
In the Department of the South	21
In the Department of the Susquehanna	3
In the Department of the Tennessee	41
In the Camp of Instruction, Georgetown, D. C	22
Total	198

The duties of the corps have been discharged, during the past year, under more favorable conditions than when previously reported.

The armies have been older. The generals, more experienced, and with a better comprehension of the modes in which the Signal Corps could be best used, have learned to both employ the detachments with their commands and to appreciate their services. There have been fewer unauthorized interferences with signal duties, and parties have been able to take the field with more complete appliances for the rendering of their services, and with a skill increased by practice. The portable telegraphic lines—always necessary for the best success of the corps—have been furnished at last by a wise liberality of the War Department, and the equipments for aerial telegraphy and reconnaissance have been improved by such additions as the longer service of the corps seemed to indicate. The slowness with which the organization of the corps has, of necessity, been made has prevented so great a utility as may be hoped from a perfect organization; and it has sometimes been the task of its officers, by services rendered, to bring generals to a conviction of its utility, by experience, of the service rendered, only to find each changed as he seemed at last to thoroughly understand and rely upon them. They appear, however (struggling with all these disadvantages, and fighting while they have been organizing, through all the great campaigns of the last year), to have maintained an efficiency equaling that of other branches of the service.

It has been a cause of congratulation to officers of the corps that their services seemed to be approved and sought for in proportion as generals commanding them have proved enterprising and successful.

The corps has taken part, during the past year, in every campaign of note east of or upon the Mississippi, and also in some west of that river, in Arkansas and Louisiana.

Detachments were present and serving at the battle of Ralston Mills, N. C.; battle of Kinston, N. C.; battle of White Hall, N. C.; battle of Goldsborough, N. C.; battle of Murfreesborough, Tenn.; battle of Georgia Landing, La.; expedition against gun-boat Cotton, Louisiana; engagement before Fredericksburg, Va. (from December 11 to December 16, 1862); expedition against Swansborough, N. C.; action at New Berne, N. C. (March 14, 1863); siege of Washington, N. C.; siege of Suffolk, Va.; expedition to White House, Va. (from April 11 to May 2, 1863); expedition from New Berne, N. C. (July, 1863); with combined operations of land and naval forces at Baton Rouge and Port Hudson, Miss. (March, 1863); siege of Port Hudson, from its commencement until the surrender of the post (July 8, 1863); at the attack of the works of the enemy near Charleston, S. C. (April, 1863); during operations at the siege of Charleston, S. C.; expedition to James River, Va., by cavalry forces of Army of Potomac (June 28, 1863); battle of Chancellorsville, Va.; Pennsylvania campaign; battle of Chickamauga, Tenn.; siege and capture of Vicksburg, Miss.; battle of Gettysburg, Pa.

The exposure of life in this service is, so far as can be judged from returns at this office, about the same as that on other staff duty. The risk of capture, resulting from constant service on reconnaissance and at outposts, is, perhaps, greater than that in any other branch of the service. The casualties of the past year have been as follows:

Commissioned officers: Wounded in action, 4; missing in action, 1; taken prisoners, 9; deaths by disease, 2. Total, 16.

Enlisted men: Wounded in action, 6; missing in action, 1; taken prisoners, 22; deaths by disease, 9; deaths from wounds received in action, 1. Total, 39.

THE SERVICES OF THE CORPS.

Of the importance of the services of the corps and of the benefits resulting to the general service from their action there are, at this office, only two means of judging—the demand for the services of the detachments of the corps and the official reports of services rendered. The demands for detachments have been proportioned as campaigns were active. In most of the great campaigns of the past year, however, the requisition for signal officers has been greater than it was possible to supply. In some instances the number required by generals in the field has been twice that which could be furnished; whilst representations made to generals commanding other military departments, with a view to withdrawing from such departments a portion of the corps therein serving for duty elsewhere, have been met by the reply that the interests of the service required in those departments the continued presence of all signal officers there on duty.

I have the honor to submit the official reports and other papers bearing upon the operations of the corps, together with maps illustrating the positions, and such message reports as indicate the character of the duty; also a number of commendatory letters from military and naval officers.* These reports possess an additional value as exhibiting the requirements, as a class, of the officers who have been employed.

In considering the services of the corps it ought to be held in mind that wherever its officers have been actually on duty they rendered a service otherwise impossible; they have forced the enemy to introduce new elements into his calculations of military movements, and they have aided the commanders of our armies with an assistance at first novel to most of them. A few years ago the modes of communication—either those of aerial or electric telegraphy—constantly employed by these officers in the campaigns of the past year, would have been held mysterious, and the results almost miraculous. If they have made these modes common, and so constantly offered them for the use of generals that the results have ceased to longer excite surprise or comment, and if the duty is now held as something of course practicable with every army, it has become so through the energy and zeal of those upon it.

Aside from duties on land, to them eminently belongs the credit of that service, whatever may be its value, which has assured throughout this war the intelligent and certain co-operation of our land and naval forces whenever they have been present.

To contemplate the results of this labor and the absolute value of the services of signal officers in this war, it is necessary to consider in brief the facts as set forth in the accompanying reports.

In the first expedition to Port Royal the rapid telegraphing among the vessels of the great armada which the service of these officers gave through its perilous voyage, were of the best results to the expedition. No modes approaching to its speed were previously known to general military use.

At the landing at Port Royal Ferry, where the U. S. troops first touched the mainland of South Carolina, their advance could be covered by the heavy batteries of the gun-boats, as it was, and necessarily, only by the service of the signal officers who accompanied them.

*Papers and maps, herewith submitted, are published in Series I.

In all the campaigns of Generals Banks and Pope in the Valley of the Shenandoah and on the Rappahannock, the detachment of the corps—its officers, on one occasion, at least, serving within the enemy's lines and always active—won the regard of those generals, and sometimes determined great movements. The flank movement of Lee's grand army for the first invasion of Maryland is reported to have been first recognized from a signal station.

At the siege of Yorktown officers of the corps kept the communication with the navy lying some miles distant in the bay, while their stations of observation reached the James River.

At the battle at West Point, Va., without their aid the naval broadsides could not have been turned, as they were, against the enemy, but must have been largely wasted at random.

Before Richmond, at Williamsburg, and at White House they were constantly on duty, and their services were frequently important.

On the battle-field at Malvern Hill the aid of signal officers subjected to control, from land, the fire and movement of the fleet through both days' battle. It is difficult to compute the value, there, of this service, whilst, thenceforth, throughout all the service of the land and naval forces on the Peninsula their aid was in requisition.

At South Mountain and Antietam signal officers won, by their conduct and the value of their services, the commendation of the general there commanding.

In the first attack on Fredericksburg, and in the long campaign before that city, they had, for their efficiency, the praise of General Burnside.

In the movements at Chancellorsville, crippled as the corps was by the failure (through no fault of its members) of some of the apparatus, they rendered such service, as that may be, which kept up the communication with General Sedgwick's Sixth Army Corps—at that time utterly cut off from the main body of the army and from headquarters—over the heads of the rebel forces, and when, the retreat being ordered and the army falling back in the night upon the river, the pontoons on the right wing of the army were swept away, a message went, by their aid, across the swollen river to hold the army in its lines instead of crowding it, with danger of a panic, on the banks of a torrent it could not cross.

In the movements to Gettysburg the field telegraphic lines and the signal stations of the corps, working together, connected army corps scattered miles apart in front of Washington, and orders went from corps to corps when the enemy's cavalry prevented the passage of couriers, and even contested with heavy escorts. If all the services of the corps in this campaign to Pennsylvania thus expedited the movements of our army by one day to reach the field of Gettysburg, that service alone was worthy of consideration.

When the rebel army in this campaign, recrossing the Potomac, hesitated at Martinsburg, as if to return to Maryland, and the Army of the Potomac east of the Blue Ridge was held uncertain of the enemy's intentions, the information obtained, and which went far to show, if it did not of itself fix their course, elicited for the corps the thanks of the commander of our army.

In the now (October 30) just finished movement of the rebel army threatening the right of the Army of the Potomac, near the Rappahannock, it is stated that the first report of the enemy's design was made from the signal station on Thoroughfare Mountain many hours before the counter movement of our army was needed.

In the movements of the enemy last spring on the Nansemond, in the Department of Virginia, a detachment served continuously with our forces.

In North Carolina a detachment of the corps has served in all great operations since the attack on Roanoke Island.

Since the last annual report the marked service of this detachment has been in the movement on Goldsborough, in the attack by the enemy on the fort opposite New Berne, and prominently when General Foster, besieged at Washington, was cut off by the enemy's batteries from other direct communication with the relieving gun-boats.

In the Department of the South the officers of the corps have served in almost every engagement since the occupancy of Port Royal, their services culminating in those rendered in the expedition against Charleston, and those at the existing siege of that city, in which, for the now hundred days of its continuance, the service of the corps in all its branches—the use of the field telegraph lines in the trenches, its communication with the naval forces, and its duties of observation and report from towers and lookouts—afford an example of what the duty ought to be everywhere, and of the efficiency to which the corps can be brought when its officers are supported by that official confidence which is their right.

In the Department of the Gulf the corps has served since soon after the first occupancy of New Orleans by General Butler. A detachment now accompanies the forces of General Banks in the pending movements in Louisiana. These officers opened the first direct communication from the Upper with the Lower Mississippi, when Rear-Admiral Farragut, running past the batteries of Port Hudson, found himself, after the perilous passage, cut off above that fortress from the vessels of his fleet, which could not follow him and were lying in the stream below.

There is not, perhaps, on record a feat of aerial telegraphy such as that thus and then performed, when from the topmast of the flag-ship of the admiral, lying above the fort, messages were regularly transmitted past the guns of the fortress to a station on the mast-top of the war-vessel Richmond, five or six miles below. An official letter of Capt. James Alden, commanding the naval forces near Baton Rouge, La., states that the value of this service at this juncture "can hardly be overestimated." This service, I believe, was also officially recognized by Admiral Farragut.

Through the prolonged siege of Port Hudson the co-operation of our land and naval forces was assured by this party. The reports are interesting.* They illustrate the signal service at this siege, the difficulties under which it was given, and its value.

In the Department of the Tennessee a detachment of the corps has served in the past year since the first attack on Vicksburg and the subsequent attack against Arkansas Post. In the progress of the grand siege of Vicksburg the officers of this detachment—it being then just collected, and serving with all the disadvantages of an acting organization—rendered such aid as they could. They were stationed on the vessels of the fleet and with the troops at different points on the banks of the river. In the passages of the Vicksburg batteries by our steamers running the blockade signal officers were stationed on the vessels and shared the risks of the exploit.

When, in the movements turning Vicksburg, the Mississippi River was to be crossed by our army near Grand Gulf, the stations of the

*See Series I, Vol. XXVI, Part I, pp. 76-120.

corps were opened on the opposite banks of the river. In the marches and battles which followed, and at the battle of Champion's Hill, the party serving with General McPherson had the distinguished mention of that officer. At the first investment of the city it fell to the corps to keep the communication between the wings of our army and the naval forces above and below that fortress—a service at that time of importance. As the siege was prolonged their service (though necessary, and of a character that their default might have caused serious loss to our arms) was not altogether satisfactory. Their field telegraphic trains, delayed at Memphis, did not reach them. The officers, reporting, deplore that such an opportunity for their service was lost.

A signal party took part in the operations in the Yazoo, in the descent of Admiral Porter to join Admiral Farragut at Red River, and in most of the joint operations of the land and naval forces. A small detachment also served successfully with General Ellet's Marine Brigade.

In the Department of the Cumberland the detachment there stationed was present at the battle of Stone's River. It is reported by General Rosecrans to have "done well." The field telegraphic trains had not then reached them.

At the occupation of Murfreesborough, and in the operations in that vicinity in the spring and summer, the party has been kept at work on stations of observation and of communication. In the attack by the enemy on Franklin it reported the need of aid when the message could not well have otherwise gone. During the movements on Chattanooga the line of signal stations is reported to have extended at one time a distance of eighty miles. The officers seem to have deserved and gained the confidence of General Rosecrans, who then commanded the department.

A detachment now accompanies General Burnside in Eastern Tennessee and Kentucky, and smaller parties are with expeditions in Louisiana and Arkansas and at different points along the Mississippi.

These are, above stated cursorily and in brief, some of the instances of service selected from those mentioned in the mass of reports and the correspondence on file at this office.

In a year's service, embracing occasions almost innumerable, and covering such vast operations as those in which these parties have striven to take a part, there must be many incidents of failure and of disappointment. The accounts of these would not always come to this office clearly, and sometimes not at all. The Department has before it the data as they have been given to me. To arrive at fair decisions of general value, it is proper—certain successes being known to have been accomplished—to contemplate what disasters might have happened to our arms, and, by consequence, to the general success of our armies, had the aid acknowledgedly given in any one instance failed to have been there given. I am of the opinion that it can be held, in behalf of those whose time and labor have been devoted to this duty, that their service has been fully as arduous, and at least as successful, as the general duty of that of any of the same number of persons in the Army.

LEGISLATION.

The legislation of the last Congress providing for the organization of the corps has had a good effect upon its service. It placed within the reach of many deserving men positions they had fairly earned by labors in the field.

Amounting, as it did, to a recognization of past services, and the pledged promises of the United States that those who were found worthy might, through it, obtain positions in a corps to which they had become attached, and in which they had freely risked their lives, shut out from other avenues of distinction, it encouraged all, and led to renewed labors, with a reasonable hope of reward to be won by merit. This legislation has provided for the present wants of the corps. The pay is liberally fixed, and the grades of rank and the duties are properly established. The rules for entering the corps, either by commission or through the ranks, are so drawn as to open the highest offices to the aspirations of all. There is every proper incentive which law can give to induce valuable men to the employ, and to lead them to a faithful discharge of their duties. There is placed in the hands of the Executive that control of the organization and of its duties, which is right, at the inception of a service which was at first only experimental. There is given to the corps all that is asked for or required. Until this law has been once tested, by filling the corps to its best organization and putting it in service, under the law, the results of success to be expected from its working, or the duties of the corps it provides, can be estimated only in imagination. I am of the opinion that no other legislation is needed. If the law, rightly construed, is carried out, and the corps thereafter be wanting in success, the fault will be either in the officers who control it or with the material that represents it in the field.

PROGRESS OF ORGANIZATION OF THE CORPS.

In pursuance of the act of March 3, 1863, which provided for the organization of the Signal Corps of the Army, a board of officers was convened on April 13, 1863, by order of the War Department. The importance of the business to be brought before this Board had induced the request, on the part of the Signal Officer of the Army, that its members should be officers of known character and acquirement. I do not think the selection made by the War Department could be improved, or that a body of officers could be found to more considerately and faithfully discharge their duties, or with a more conscientious regard for the interests of the service, than that which has actuated these gentlemen through the prolonged sessions of the past summer. The order convening the Board has been modified from time to time by the War Department. The Board has acted with its best judgment to carry out its provisions. It was made a part of their duty to report on a plan of organization of the corps, and on other matters pertaining to its duties, as their military experience and their opportunities for investigation might suggest. This report has already been submitted to the War Department.

This report has been made by the Board after due consideration, and with full access to the records of the office, the official reports, papers, and other information to be there obtained in regard to the history of the corps, its duties, and its progress from the beginning of the war. I fully concurred in the recommendations of this report, and I respectfully advise their adoption.

The duties of the examination of officers and of recommendations for appointments which devolved upon this central board were of a delicate character. It was their province to discriminate between officers who have served gallantly and zealously from the beginning of the war and to fix their grades of rank and relative standing. The

lavishness with which, in the early days of the war, positions of rank were distributed, sometimes without regard to qualification, increased the difficulties of the task. It was necessary to recommend a reduction of rank in some cases, in others candidates were found disqualified to enter the corps. There were few prominent positions provided by the law; the aspirants were numerous, and the claims of each, in his own estimation, eminent. The qualifications, record of service, and conduct of each applicant were the basis on which to fix his standing. In this task of decision the Board has proceeded with patience, kind consideration, and impartiality. The result of their action will be to render justice in the lists they present, in so far as is possible with human judgment. On July 17, 1863, orders issued from the War Department for the formation of other boards in the different military departments, with a view to the examination of the officers there serving, and to expedite the organization of the corps. The constant moving of the great armies, with which the officers are in the field engaged, in battles, marches, and sieges, have rendered it impossible to collect the reports of these boards rapidly, or for the boards to continue in permanent sessions. Their meetings have been in tents, and, in the case of the Board assembled on Morris Island, its sessions were held during the siege of Fort Wagner and nearly within the range of the enemy's artillery. The reports from the departments of Virginia, North Carolina, South Carolina, and the Gulf are now complete. Those from the Departments of the Tennessee and of the Cumberland, though partially rendered, are not yet finished.

Boards for the examination of non-commissioned officers and of enlisted men have also been convened in each military department. Their recommendations for sergeants and privates of the different classes are received. These boards retain their organization for the examination, under the law, of such enlisted men as may be enlisted in or transferred to the corps. On August 1, 1863, in accordance with authority from the War Department, a board convened at the Camp of Instruction, in Georgetown, D. C., for the examination, for admission to the corps, of such candidates (coming either from military or civil life) as might be properly brought before it. It has been the rule of this office, as it has been the understood wish of the War Department, to throw open these examinations for the widest and fairest competition; to refuse to no respectable citizen of the United States permission to appear before the Board, and to be guided solely by the decision of the Board as to the recommendation of his appointment. The action of this Board, on which no influences are brought to bear, is impartial. The wide field for selection affords opportunity to obtain the best material. The qualifications of the applicants who have thus entered the corps have warranted the plan pursued. It is proper that the precedent thus established should be followed hereafter.

The organization has proceeded slowly, and with the difficulties necessary in such times as now. The papers, returns, and reports have had to be, some of them, devised and all of them systematized. It has been necessary to impress upon the officers scattered throughout the United States the fact of their accountability and the necessity of rendering such reports and papers as the usages of the service require. An acting organization of equipped officers and men has had to be kept everywhere in the field ready for service, and detachments of it moved from point to point, as, in the immense campaigns (including those of all the armies), new contingencies developed

themselves. The views of this office have not always been those which seemed wise to the Department, and for the plans proposed from it there have sometimes been substituted those suggested by others. The perplexities have been numerous; there has been little time for consideration, and a necessity of constant action. The officers serving in the different military departments have had their embarrassments. They have been perplexed about the formation of boards and the examinations to be passed. Persons illy disposed have annoyed them by discouraging reports as to the organization of the corps. There have been the uncertainties, the little collisions, dissatisfactions, and hamperings to be expected in any incomplete organization.

By this review there is offered to the War Department an opportunity of estimating the difficulties under which the operations of the corps have progressed. The general tone of feeling among the officers has been commendable. The acting organizations have maintained and tried to perfect themselves in every department. The records of the campaigns show that they have not been idle. Everything has been made to give way to active service in the field. Very few, if any, of the corps have stopped to consider how it might affect their chances of appointment to have the lists hurried into the Department when there has been an opportunity anywhere to show by their deeds that such appointments would be for the interests of the service and that they were deserved. I recommend that no detriment be allowed to happen to any officer or man on the lists thus delayed. The necessary papers, lists, &c., are now so nearly complete that the corps can be put on a permanent working organization in a very few days after the receipt of the reports from the Departments of the Tennessee and the Cumberland. The recruiting service is organized and proceeds satisfactorily.

ORGANIZATION OF THE OFFICE OF THE SIGNAL OFFICER.

By the legislation of last session Congress provided for two clerks of class two in the office of the Signal Officer. With the appointment of these clerks, the office assumed a permanent organization. This office has been, since soon after the beginning of the war, an office for records; for the issuing of orders; a purchasing and disbursing office; an office for the issuing of supplies to officers, and for the auditing of their accounts; the headquarters of the corps, and virtually a bureau office. The records of the corps are now complete. Since April 1, 1861, the office has issued all necessary supplies to each chief signal officer in the several military departments of the United States.

The property accounts of signal officers, with one or two exceptions, have been rendered and examined to September 30, and are, to the number of 1,000, in the hands of the Second Auditor. When the difficulties peculiar to duties of such varied kinds, with a new army in time of war, and an organization made up of volunteers, are considered, a result of this character is cause for satisfaction. The credit for the systematic arrangements and the precision which have made it possible is due to Messrs. White and Ashley, the appointed clerks, upon whom has devolved the real labor, and to the energy and care of Captains Cushing, Hepburn, Spencer, and Tafft, who have been on duty at different times since the establishment of the office. The office organization is now complete for any possible extension of its duties.

PLANS AND DEVICES.

A number of plans or devices having reference to aerial and electric telegraphy have been, during the past year, submitted to this

office. A detailed account of these cannot properly accompany this paper. The number of plans and of models submitted have rendered it necessary that a general rule should be adopted in reference to them. It has been the usage, for this reason, to submit each to a board of officers for examination and report. This report, with the writings, models, and plates accompanying each device, is directed to be kept on file in this office for reference. Among the plans submitted have been ingenious devices for signals, and for ciphers, signal torches, rockets, and signal lights of various construction; specimens of insulated wire, of double wire, and of wire twisted to be made flexible; different varieties of electric instruments for field use; plans for field trains, observatory towers, &c.

The war has brought forward numerous inventions for this service.

The different varieties of apparatus carried with our armies in the field, crude as some of them are in this the first year of their use, have been the subject of attentive study by the agents of different foreign powers who have visited our encampments.

INSTRUCTION AT MILITARY AND NAVAL ACADEMIES

The course of instruction commenced at the Naval Academy at Newport, R. I., to which reference was made in my last report, has been continued, as I am informed, at that institution during the past year. A communication from Lieut. Commander S. B. Luce, U. S. Navy, the officer charged with the duty by the Navy Department, states:

> At the coming June examination twenty-one midshipmen leave the Academy for active service. I shall make a special report of the fact to the Department, that they may be sent on board different vessels, and thus the entire number be made available at once. In October next thirty-one more midshipmen, competent to act as signal officers, leave the Academy, and the wants of the Navy will be in a very great measure supplied.

Practical illustration of the progress and skill of the second class were, I believe, given before the Board of Visitors at the annual examination at the Naval Academy of this year.

In July last instruction in military signals and telegraphy was made by an order of the War Department part of the course of instruction at the Military Academy at West Point. Capt. Samuel T. Cushing, acting signal officer, with proper assistants, was detailed for this duty. The course has been ably conducted by this officer. It has embraced instructions in the drill and management of signal parties, the theory and practical use of aerial and electric telegraphy, and a thorough field practice with the field-line modes used in the Army. At the last report of the officer on duty the first class of cadets had so far advanced as to read easily, by day or by night, communications telegraphed with flags or torches from Newburg to West Point, a distance of eight miles. They have studied, by practice, the working of the light field telegraph lines, which come within the management of the corps. The course to be conducted by Captain Cushing and his assistants would embrace practice on these lines and the modes of working them in common use. The addition of this branch to the studies before pursued at the Military Academy promises, in my opinion, an advantage to the service.

The use of field signals and field telegraph lines has now become so common in military operations that an officer can hardly be considered instructed who is not informed as to their employment. This especially applies in the existing war.

The land and naval forces of the enemy seem to be well supplied with practical signal officers, and military operations on land bring our forces continually in view of hostile signal stations, of whose powers our officers ought to be able to judge. The accounts which reach us of the rebel navy at sea indicate the habitual use of those plans of signals first introduced in our armies. The officers of our navy, experienced in this war, will be able to estimate the advantages thus gained.

FIELD TELEGRAPHS.

The service of the field telegraph trains, in the hands of the corps, and making part of its equipment, has been conducted with a fair and, in some instances, a marked success in the different military departments. The liberality of the War Department has allowed a development of this branch of the duty greater than was recommended at the date of my last report, and with results which have justified the action. It remains, in my view, only to follow the path of development indicated by the experience of the past year to secure for our armies a service of field telegraphs, with portable lines, so superior as to render our advance in improvements of this character as notable as those which have marked the progress of our armies in other branches of military appliances.

In my last annual report there was brought to the attention of the Department the improvement in telegraphic apparatus which the ingenuity of American artisans, stimulated by the field opened to them by this war, and the call for improved equipments for the trains for the Signal Corps of the Army, had inaugurated. The practical experience of the past year, indicating the wants of the service, and the same ingenuity constantly exercised to overcome these wants and to perfect the material, have led to developments in the art which are now attracting the attention of electricians, and which, if they fulfill the promise of their seeming, will go far to revolutionize the appliances for the transmission of signals by electricity. It is already a subject of consideration whether the appliances and the modes of generating a magneto-electric current, as first used for telegraphy in this country, in the experimental instruments made for the Signal Corps to dispense with the clumsy and untransportable voltaic battery, are not these appliances and that mode which will be necessary to transmit signals through sub-marine cables of uncommon length, as that proposed to cross the Atlantic. This is, of course, theoretical only.

The use of these instruments in the Army has led incidentally to their examination for the naval force of the United States. Their use for civil purposes attracts attention. The ingenuity of the inventor, Mr. G. W. Beardslee, of New York, turned to the subject of increasing the powers of the instruments to enable them to work at greater distances, and to apply the magneto-electric current in the same manner as generated by the field machinery, under circumstances where with the first devised instruments it was difficult or impossible, has produced, with a construction novel in this country and in Europe, a signal sounder, by which the signals transmitted are addressed to the ear. Messages transmitted by this instrument may be read as with instruments of common usage.

Experiments have been ordered with this apparatus. If, as is the opinion of the inventor, it can be used at any great distance, and

with the compact and perfectly transportable apparatus of the magnetic instruments of field trains, it promises a development of field telegraphy before impossible, and will favorably influence the telegraphic enterprises of the country. Should the experiments ordered warrant the course, the signal trains of the Army will be equipped with both the dial instruments already in use and the instruments now mentioned. There are opportunities for the employment of both. It is with some gratification that the attention of the Secretary of War is invited to these results. The credit of whatever success shall hereafter attach, in civil or military use, to American apparatus, based on these principles and on this style of its applications, will be largely due to that wise view of the War Department which first gave it opportunity for development.

During the past year there have been in the service of the corps thirty field trains, distributed as follows:

In the Army of the Potomac	5
In the Department of the Cumberland	5
In the Department of the Gulf	3
In the Department of North Carolina and Virginia	3
In the Department of the South	2
In the Department of the Tennessee	6
In the Department of Ohio	2
At the Signal Camp of Instruction, Georgetown, D. C.	3
At the United States Military Academy, West Point, N. Y.	1
Total	30

Seventeen have been distributed since May 1, 1863. Of these trains some have been equipped with five and others with ten miles of insulated wire. There are carried in the trains lances for setting up the wire when that is necessary; reels, portable by hand, carrying wire made purposely flexible for this particular use, and various minor appliances which experience has proven useful. A military organization is directed for each train.

In duty of this kind the style of construction of the trains, the equipment they are to carry, and the military organization to be provided for their use, to enable them to be most rapidly and anywhere brought into action, are the subjects for study. The particular instrument to be equipped is for secondary consideration. The soldiers drilled to the duty of construction acquire in a short time a remarkable skill in the rapid extension of these lines. As was anticipated, they have proved valuable auxiliaries to the services of the corps, and have sometimes rendered them available when they would, without, have been impossible. The greatest reported distance at which the instruments have worked is something over twenty miles. The average distances at which they are used are from five to eight miles. The average speed of the most rapid construction is reported to be at the rate of a slow walk.

At the first battle of Fredericksburg field trains were first in the history of the war used on the battle-field under the fire of the enemy's batteries. The movements to be made on the day of that battle were of the first magnitude. The movements of the retreat were perilous to the whole army. The trains in use contributed something to the success of these movements.

At the battle of Chancellorsville several lines were extended. The shorter worked successfully; the longer failed. This failure was not, however, wholly the fault of the officers in charge: success cannot always be commanded.

In the rapid movements of the Army of the Potomac these lines aided materially in establishing that communication between the scattered army corps which afterward rendered their sudden concentration before the enemy at Gettysburg possible.

The siege of Charleston afforded a fair field for the use of these trains. They have been skillfully handled by the detachment of the corps there serving. The reports at this office would indicate their employment as a success. For the hundred days of the siege now past, the communications with General Gillmore's troops in the trenches and in reserve have been kept with field lines, pushed forward and maintained under the fire of the enemy, and advanced with the advance of our troops to the farthest point reached by our forces at Fort Gregg.

At the siege of Fort Wagner the lines were so close to the enemy that his sharpshooters fired at the wire. It was repeatedly cut by pieces of shell. The wire was mended by soldiers of the corps, who were exposed to a dangerous fire of grape. One of the first instances on record of a soldier actually wounded at the instrument is that of Sergeant Emerson, of the Signal Corps, who was severely wounded by a shell, which destroyed in its explosion the splinter-proof in which he was working in the parallel, and buried himself and Lieut. C. F. Cross, the officer in charge, some feet in depth in sand. These instances are mentioned as illustrative of the mode in which the portable lines of the corps should be worked. Their use has been here, as elsewhere, supplementary to the use of the flags and the other aerial signals by which the corps keeps its communications.

Thus, while these communications existed in the trenches in front of Charleston constant communication was kept with the fleet in the bay and the river on both flanks of the army, and from signal towers with different divisions of the forces. The portable lines, as can be judged by the dates at which their distribution commenced, have been so in use in the different departments that the results cannot at present be properly judged. There are only general reports from the Departments of North Carolina and Virginia, the Departments of the Gulf and of the Tennessee. There are trains in the field having a part in the operations in each of these departments. The general tenor of the reports indicates a fair success.

A summary report in reference to the average working of this apparatus for the past year has been called for and will be laid before the Department. There have been, of course, as it was reasonable to expect, accidents, sometimes incompetent management, and such errors as were to be anticipated at the commencement and in the early progress of such a service. The service rendered, however, has not failed to be of very essential value. The equipment of the trains, while it can be improved, seems to be in its general character proper for the purposes intended, whilst the material carried by them has been useful.

Questions have arisen as to the distance at which lines can be worked by the instruments carried by these trains, and also as to the durability of the instruments. I am of the opinion that with proper care the dial instrument will be sufficiently durable for the purpose to which it will be put. The distance of working can be increased with improved instruments or proper modifications of the apparatus. The expense attending this service is trivial compared with the results it is capable of accomplishing. With proper organization and man-

agement, I think it can be so reduced as to make it admittedly one of the cheapest as well as effective branches of the service.

The experience of the past year has thus confirmed the views before brought before the Department at the outbreak of the rebellion, and in the annual reports of 1861 and 1862, of the importance to the signal service of field telegraph trains with portable lines; that is, lines to be transported with instruments and apparatus complete, and to be set up anywhere the exigencies of the service require. The service of these trains is a necessary branch of corps duty, and from the beginning of the war it has been aimed to perfect it. I recommend its further development. The facilities placed within the control of this office by the War Department, and the appropriations granted for the purpose at the last session of Congress, will permit it to be tested to its full efficiency.

I am, sir, very respectfully, your obedient servant,

ALBERT J. MYER,
Colonel and Signal Officer of the Army.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 30, 1863.

Lieut. Col. R. C. BUCHANAN,
Fourth Infty., Actg. Asst. Prov. Mar. Gen., Trenton, N. J.:

COLONEL: Your communication of the 27th instant has been received. You say that the State authorities are not inclined to assist the provost-marshals in carrying out the requirements in relation to the recruiting service, because the recommendations of recruiting agents are not made by the Governor, who is required to furnish the volunteers. I am not particular that the provost-marshals shall have the control of recruiting agents. The great object is to get the troops, and I desire you to see the State authorities and make such arrangements with them, in regard to appointment of recruiting agents and such other details to facilitate the raising of troops, as shall meet the wishes and views of the Governor and the State authorities. The call for the volunteers is made upon the Governor, and it is desirable to give him a leading part in procuring them. You will please do whatever may be necessary to secure the active co-operation of the State authorities and render the enlistment of recruits as popular and speedy as possible, and report to me what steps you may take in the matter.

I am, colonel, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., October 30, 1863.

His Excellency EDWARD SALOMON,
Governor of Wisconsin, Madison, Wis.:

SIR: I have the honor to inform you that Wisconsin's quota of the 300,000 volunteers called for by the President's proclamation of the 17th instant is as follows: First District, 2,204; Second District,

1,830; Third District, 1,512; Fourth District, 1,447; Fifth District, 1,726; Sixth District, 1,800; total, 10,519.

This quota is the proportion of 300,000 men which Wisconsin should furnish, according to the number of men of the first class enrolled in that State and without any regard to the quota assigned for the draft now ordered in Wisconsin.

The quota of Wisconsin for the present draft is as follows: First District, 2,768; Second District, 1,251; Third District, 1,079; Fourth District, 2,049; Fifth District, 1,894; Sixth District, 1,139; total, 10,180.

The quota, therefore, of Wisconsin for the next draft (by which will be understood the draft contingently authorized by the President's proclamation of the 17th instant, and not that recently ordered in Wisconsin to take place on the 9th proximo), in case such second draft shall be rendered necessary by a failure to raise sufficient volunteers, will be 10,519, her proportion of the general quota of the 300,000 men under the proclamation of the 17th instant (or such portion of that number as may not be filled by volunteers under the proclamation), and in addition the deficiency, whatever it may be, which may arise under the present draft. This deficiency, however, is subject to be reduced by all volunteers not previously credited, as well as by any the State may raise in excess of her quota (10,519) under the proclamation.

If Your Excellency thinks best to subdivide the quotas herein assigned to Congressional districts, and allot proportional parts to smaller subdivisions of your State, I would suggest that for harmonizing the subject of credits in drafts hereafter you regard the enrollment of the first class as made by this Bureau as the basis of assignment.

The provost-marshal-general of your State and the boards of enrollment in the different districts will give you all the aid in their power in this and all other matters connected with raising troops.

I have the honor to be, sir, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

ENGINEER DEPARTMENT,
Washington, October 31, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I have the honor to present the following report upon the several branches of the public service committed to the charge of this department for the year ending June 30, 1863:

During the last two years many of the officers of the Corps of Engineers have been commissioned in the volunteer service as general officers and colonels in command of troops, as well as on general staff duty in the volunteer forces. A number of others are detached from the Engineer Department for service in their special sphere with the armies in the field, both with engineer troops and on engineer staff duty.

By the act of March 3, 1863, the Corps of Engineers and the Corps of Topographical Engineers were united in a single organization as "The Corps of Engineers," and the duties of the two, heretofore divided, are now discharged by the new corps, which, in accordance

with the general military systems of other nations, administers the whole engineer service of the Army.

Of the officers of engineers serving with volunteers' commissions there are now six major-generals, nine brigadier-generals, seven colonels, four lieutenant-colonels, and one major. Sixteen of these are in command of troops, five are on general staff duty, and four are on engineer staff duty.

The whole number of engineer officers now serving in the field is fifty-two—twenty with troops and thirty-two on staff duty.

During the year two veteran officers have been removed from the corps by retirement consequent upon long and faithful service, two by promotion to be brigadier-generals of the Regular Army, four have fallen in battle, and one has lost his life directly in the act of rendering important professional service.

The loss of so large a number of the officers of the corps and the heavy demands of the active operations of the war upon its members have left but a small proportion available for the construction of the sea-board and frontier defenses, the requirements of the Military Academy, the lake surveys, and other ordinary duties.

At the same time the interests of the country require that the system of defenses should be pressed forward with all practical rapidity, and Congress appropriated unusually large sums of money for the purpose of expediting the works. Labors upon them have been therefore pressed to the greatest extent that the difficulty of procuring workmen and materials and the capacity of the heavily-taxed officers in charge would allow, and corresponding progress has been effected, so that a number of important positions are now in condition to make a formidable defense, and at all where it was possible to labor very material progress has been effected.

Below will be given a statement of the condition of each fortification now under construction or repair, with an account of the progress made during the past year and the operations contemplated for the present and next year. These statements are for the most part in the words of the officers in charge of the works.*

The above statement exhibits the condition of operations on the various permanent fortifications now in course of construction, modification, or repair. During the last year, however, much solicitude has been entertained respecting a number of our towns and harbors to which the system of permanent fortifications has not thus far been extended. In order to be ready to meet emergencies, projects for temporary defenses were prepared for a number of these points, and the construction of the works has been put in hand in measure as circumstances would allow. In this way provision has been made for temporary batteries of from five to fifteen guns each at each of the following places, viz: Eastport, Machias, Castine, Belfast, Rockland, Newburyport, Gloucester, Salem, Marblehead, Plymouth, Provincetown, west entrance to Narragansett Bay, New Haven, Delaware River, opposite Fort Delaware, mouth of Columbia River, Oreg. At each of these work is in rapid progress; the guns have been supplied, and the completion of all the batteries will be effected in a short time.

Very respectfully, your obedient servant,

I. C. WOODRUFF,
Major of Engineers, in Charge.

* Statement omitted.

SURGEON-GENERAL'S OFFICE,
Washington, D. C., October 31, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I have the honor to submit the following statement of finances and general transactions of the Medical Department for the fiscal year ending June 30, 1863:

The amount of appropriations for this department remaining on the 1st of July, 1862, was:		
In the Treasury of the United States		$8,235.95
Amount appropriated per act of July 5, 1862		5,705,984.00
Amount appropriated per act of July 5, 1862		125,000.00
Amount appropriated per act of February 12, 1863		4,474,000.00
Amount refunded into the Treasury of the United States:		
Surg. William Whelan, Chief of Bureau of Medicine and Surgery, U. S. Navy, for medical supplies furnished seamen in hospital at Norfolk, Va	$1,635.20	
For hospital furniture transferred to naval hospital at Portsmouth, Va	4,453.86	
		6,089.06
		10,314,309.01
There was expended during the year ending June 30, 1863, on account of private physicians		484,196.64
On account of nurses, clerks, and laborers		544,132.68
On account of medicines, instruments, hospital stores, bedding, and other supplies		10,566,321.03
		11,594,650.35

This expenditure exceeds the whole amount of balance, appropriations, and refundments for the twelve months by $1,280,341.34, which excess was drawn from the appropriation of $10,080,000, made by act of February 9, 1863, for the service of the fiscal year ending June 30, 1864.

Of the appropriations for the current fiscal year there remained on the 30th of June, 1863, in the U. S. Treasury	$8,522,423.27
In the hands of disbursing agents	277,235.39
	8,799,658.66

One hundred and fifty-one general hospitals were enumerated in the annual report for 1862. Many of these have been discontinued and others constructed, as the advance of our armies and the necessities of the service required. The latest reports received give 182 general hospitals, with a capacity of 84,472 beds, as follows:

Designation.	Location.	Designation.	Location.
Armory Square	Washington, D. C.	Kalorama	Washington, D. C.
Carver	Do.	Lincoln	Do.
Campbell	Do.	Mount Pleasant	Do.
Columbia	Do.	Seminary	Georgetown, D. C.
Convalescent Camp	Near Alexandria, Va.	Stone	Washington, D. C.
Douglas	Washington, D. C.	Stanton	Do.
Desmarres	Do.	Saint Elizabeth	Do.
First Division	Alexandria, Va.	Saint Aloysius	Do.
Second Division	Do.	Tilton	Wilmington, Del.
Third Division	Do.	Jarvis	Baltimore, Md.
Emory	Washington, D. C.	Camden Street	Do.
Finley	Do.	Newton University	Do.
Fairfax Seminary	Near Alexandria, Va.	Convalescent	Do.
Harewood	Washington, D. C.	McKim's Mansion	Do.
Judiciary Square	Do.	West's Buildings	Do.

Designation.	Location.	Designation.	Location.
Division No. 1	Annapolis, Md.	U. S. General, No. 7	Louisville, Ky.
Division No. 2	Do.	U. S. General, No. 16	Jeffersonville, Ind.
Annapolis Junction	Annapolis Junction, Md.	Marine	Saint Louis, Mo.
U. S. General	Cumberland, Md.	New House of Refuge.	Do.
Do	Grafton, Va.	Lawson	Do.
Do	Parkersburg, Va.	Smallpox	Do.
Do	Point Pleasant, Va.	Benton Barracks	Do.
Do	Gallipolis, Ohio.	Jefferson Barracks	Do.
Do	Frederick, Md.	U. S. General	Jefferson City, Mo.
Hammond	Point Lookout, Md.	Do	Springfield, Mo.
Satterlee	Philadelphia, Pa.	Do	Rolla, Mo.
Mower	Do.	Do	Kansas City, Mo.
Cuyler	Do.	Do	Leavenworth, Kans.
Christian Street	Do.	Do	Fort Scott, Kans.
South Street	Do.	U. S. General, No. 1	Nashville, Tenn.
Citizens' Volunteer	Do.	U. S. General, No. 2	Do.
McClellan	Do.	U. S. General, No. 3	Do.
Convalescent	Do.	U. S. General, No. 5	Do.
Turner's Lane	Do.	U. S. General, No. 8	Do.
Islington Lane	Do.	U. S. General, No. 9	Do.
Officers Hospital	Do.	U. S. General, No. 11	Do.
Summit House	Do.	U. S. General, No. 12	Do.
Haddington	Do.	U. S. General, No. 13	Do.
Broad Street	Do.	U. S. General, No. 14	Do.
Chester	Chester, Pa.	U. S. General, No. 15	Do.
West Walnut Street	Harrisburg, Pa.	U. S. General, No. 16	Do.
Chestnut Street	Do.	U. S. General, No. 17	Do.
Cotton Factory	Do.	U. S. General, No. 19	Do.
Town Hall	Chambersburg, Pa.	Cumberland	Do.
York	York, Pa.	Prison	Do.
Mulberry Street	Harrisburg, Pa.	Saint James	New Orleans, La.
Camp Letterman	Gettysburg, Pa.	University	Do.
Pittsburg	Pittsburg, Pa.	Marine	Do.
U. S. General	Hampton, Va.	U. S. Barracks	Do.
Chesapeake	Fort Monroe, Va.	Saint Louis	Do.
Balfour	Portsmouth, Va.	Charity	Do.
De Camp	Davids Island, N. Y.	Convalescent	Baton Rouge, La.
McDougall	Fort Schuyler, N. Y.	U. S. General	Do.
Fort Wood	Bedloe's Island, N. Y. Harbor.	Overton	Memphis, Tenn.
Fort Columbus	Governor's Island, N. Y. Harbor.	Jackson	Do.
Ladies' Home	New York City.	Gayoso	Do.
Saint Joseph's	Do.	Adams	Do.
Newark	Newark, N. J.	Jefferson	Do.
Lovell	Portsmouth, R. I.	Union	Do.
Knight	New Haven, Conn.	Officers'	Do.
Brattleborough	Brattleborough, Vt.	Old State	Do.
Marine	Burlington, Vt.	Washington	Do.
Mason	Boston, Mass.	Webster	Do.
Washington Park	Cincinnati, Ohio.	Church	Do.
West End	Do.	U. S. General	Mound City, Ill.
Marine	Do.	Do	Cairo, Ill.
Main Street	Covington, Ky.	Do	Paducah, Ky.
Seminary	Do.	Do	Helena, Ark.
Dennison	Camp Dennison, Ohio.	U. S. General, No. 1	Vicksburg, Miss.
U. S. General	Cleveland, Ohio.	U. S. General, No. 2	Do.
Do	Camp Chase, Ohio.	U. S. General, No. 3	Do.
Seminary	Columbus, Ohio.	U. S. General, No. 4	Do.
U. S. General	Chicago, Ill.	Nashville Floating	Do.
Marine	Do.	Pest	Do.
U. S. General	Quincy, Ill.	Foster	New Berne, N. C.
Do	Ashland, Ky.	Hammond	Beaufort, N. C.
Do	Lexington, Ky.	Mansfield	Morehead City, N. C.
Do	Hickman's Bridge, Ky.	U. S. General	Hilton Head, S. C.
Do	Indianapolis, Ind.	U. S. General, No. 1	Beaufort, S. C.
Do	Madison, Ind.	U. S. General, No. 2	Do.
U. S. General, No. 1	Evansville, Ind.	U. S. General, No. 3	Do.
U. S. General, No. 2	Do.	U. S. General, No. 4	Do.
U. S. General, No. 1	New Albany, Ind.	U. S. General, No. 5	Do.
U. S. General, No. 3	Do.	U. S. General, No. 6	Do.
U. S. General, No. 4	Do.	U. S. General, No. 7	Do.
U. S. General, No. 5	Do.	U. S. General, No. 8	Do.
U. S. General, No. 6	Do.	U. S. General, No. 9	Do.
U. S. General, No. 1	Louisville, Ky.	U. S. General, No. 10	Do.
U. S. General, No. 2	Do.	U. S. General, No. 11	Do.
U. S. General, No. 3	Do.	U. S. General, No. 12	Do.
		U. S. General, No. 13	Do.
		U. S. General	Keokuk, Iowa.

The report of sickness and mortality usually accompanying the annual report cannot be compiled at this time, and when completed will be submitted as a supplement.

The number of patients remaining in general hospitals June 30, 1863, was 9.1 per cent., and in the field 4.4 per cent. of the entire mean strength of the Army, of whom 11 per cent. were sick and 2.5 per cent. wounded.

The mortality during the month of June, 1862, from disease alone, was 4.7 per thousand of mean strength; that for June, 1863, 3.9 per thousand, giving a decrease in mortality from disease that, it is thought, will be shown to have maintained throughout the fiscal year.

During the past year the health of the troops has been good. The armies of the south and southwest have escaped epidemics of unusual severity. Scurvy has been almost unknown among them. Yellow fever appeared in the fall of 1862 at Key West and extended to Hilton Head; the number of cases was limited and the proportion of deaths not excessive.

The general condition of the service in all matters of sanitary precaution and police exhibits marked improvements over the previous year. The corps of medical inspectors, authorized by the acts of Congress of April 16, 1862, and of December 27, 1862, have, by the uniform and thorough system of inspections and reports established, added materially to the efficiency of the medical and hospital service: and the value of their labors is apparent in the prevention and prompt correction of errors and abuses affecting the health and comfort of the troops.

Two medical boards for the examination of candidates for appointments in the medical staff of the Regular Army were in session during the fiscal year commencing July 1, 1862, and ending June 30, 1863.

The first board, at Washington, D. C., examined eight candidates, two of whom were found qualified; the remaining six withdrew before the examination was concluded. They also examined two assistant surgeons for promotion; one was approved and one found not qualified.

Forty-seven candidates were invited before the second board, assembled at Philadelphia, Pa. Thirty-three only presented themselves for examination. Of these seventeen withdrew before their examination was concluded, one was not examined on account of physical disability, fourteen were approved, and one was rejected. This Board also examined seven assistant surgeons for promotion, six of whom were approved and one found not qualified.

All the candidates approved by these two boards have been appointed.

There are at present three vacancies in the medical staff of the U. S. Army.

Companies of the Second Battalion, Invalid Corps, composed of meritorious officers and soldiers disabled for active service, have been assigned to many of the general hospitals as a part of their organization, under the direction of the surgeons in charge. The experience of a few months warrants the belief that this military organization will prove the most economical and advantageous mode of supplying a permanent corps of nurses and attendants to such hospitals, and make available for active service the able-bodied hitherto detailed for these duties.

The Army Medical Museum, aided by the appropriation of the last Congress and the cordial co-operation of medical officers throughout the country, embraces over 3,000 specimens, and has attained a value

and importance that justifies the recommendation for a small annual appropriation.

The great difficulty that has been experienced at large general hospitals in procuring a sufficient number of matrons has rendered the use of washing-machines or employment of contractors in many cases a matter of necessity. Additional legislation is required to enable this department to meet the expenses thus incurred. The appropriation for laundry purposes of a sum of money equivalent to pay and allowances of the authorized number of matrons or laundresses in hospitals where washing is done by contract or machinery would obviate the present embarrassments.

Depots of medicines and hospital supplies are established at New York, Philadelphia, Baltimore, Washington, Hilton Head, Fortress Monroe, New Berne, New Orleans, Cincinnati, Louisville, Saint Louis, Memphis, Nashville, Chicago, and San Francisco. The importance of this distribution has recently been proven by the promptitude with which every necessary appliance for the treatment and comfort of the wounded from Chickamauga was supplied from the depots at Louisville and Nashville. As adjunct to that in Philadelphia, a laboratory for the examination and testing of drugs and liquors, the preparation of powders, pills, extracts, ointments, tinctures, &c., has been found, even in its limited and experimental operations, to be advantageous and economical. A small appropriation for additional machinery is desired.

The Medical and Surgical History of the Rebellion is progressing as rapidly as the amount of material to be examined and classified will permit. The volume for the first year will probably be completed during the next session of Congress.

I am, sir, very respectfully, your obedient servant,

JOS. K. BARNES,

Medical Inspector General and Acting Surgeon-General.

EXECUTIVE DEPARTMENT,
Annapolis, October 31, 1863.

His Excellency President LINCOLN:

SIR: Rumors are to-day current, and they reach me in such a shape that I am bound to believe them, that detachments of soldiers are to be dispatched on Monday next to several of the counties of the State, with the view of being present at the polls on Wednesday next, the day of our State election. These troops are not residents of the State, and consequently are not sent for the purpose of voting, and as there is no reason, in my opinion, to apprehend any riotous or violent proceedings at this election, the inference is unavoidable that these military detachments, if sent, are expected to exert some control or influence in that election.

I am also informed that orders are to be issued from this military department on Monday prescribing certain restrictions or qualifications in the right of suffrage—of what precise character I am not apprised—which the judges of election will be expected to observe.

From my knowledge of your sentiments on these subjects as expressed to Hon. R. Johnson in my presence on the 22d instant, as also disclosed in your letter of instructions to General Schofield,* since

* See Series I, Vol. XXII, Part II, p. 585.

published, in reference to the Missouri election, I cannot but think that the orders above referred to are without your personal knowledge, and I take the liberty of calling the subject to your attention and invoking your interposition to countermand them. I cannot but feel that to suffer any military interference in the matter of our election, or to prescribe any test oath to voters, when all the candidates in the State, with the exception perhaps of two or three in one Congressional district, are all loyal men, would be justly obnoxious to the public sentiment of the State.

There are other reasons why such proceedings would appear as an offensive discrimination against our State. Our citizens are aware that highly important elections have recently taken place in other States without, as it is believed, any such interference by the Government authorities; and if votes by hundreds of thousands have been allowed to be cast there without objection, and with no limit upon the elective franchise other than the State laws prescribe, and where one at least of the candidates so supported was considered so hostile to the Government that for months past he has been banished from the country, certainly any such interference as between the loyal men now candidates in this State would under such comparison be more justly objectionable, and find nothing in the present condition of things here to justify it. I rely, therefore, upon Your Excellency for such an order as will prevent it.

I have the honor to be, with great respect, Your Excellency's obedient servant,

A. W. BRADFORD.

WAR DEPARTMENT,
Washington City, November 1, 1863.

Major-General SCHENCK,
Baltimore:

The President desires to see you, and that you issue no order in respect to the election until you see him.

EDWIN M. STANTON,
Secretary of War.

BALTIMORE, MD., *November 1, 1863.*

Hon. E. M. STANTON,
Secretary of War:

I will go to see the President by next train, 5 p. m. to-day. My order as to the election has already been issued.* If it is revoked, we lose this State. Can I see you first on arrival at Washington this evening?

ROBT. C. SCHENCK,
Major-General.

CLEVELAND, OHIO, *November 1, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War, Washington, D. C.:

SIR: I have the honor to make to you the following report of the operations and condition of the U. S. military telegraph for the fiscal

* See Series I, Vol. XXIX, Part II, p. 394.

year ending June 30, 1863, accompanied with the reports of the different quartermasters and assistant superintendents under my control. Their reports contain details of the operation of the military telegraph in the respective departments to which they are assigned.

The report of Major Eckert, assistant superintendent, Department of the Potomac, is marked A; Captain Bruch, assistant superintendent, Departments of Ohio, Cumberland, and Mississippi, B*; Captain David, assistant superintendent, Department of Western Virginia, C; Captain Wade, Cleveland, Ohio, D; Captain Smith, assistant superintendent, Department of the Missouri, E; Captain Bulkley, assistant superintendent, Department of the Gulf, F.

Since my appointment as aide-de-camp, assistant quartermaster, and superintendent of the U. S. military telegraph, I have been the commanding officer in charge of the military telegraphs in the United States. My headquarters from the commencement of the fiscal year ending in June, 1863, up to the 1st of April, were at Washington, D. C. In April I was ordered by the Honorable Secretary of War to make a personal tour of observation of the military telegraph in the West and Southwest, and to make my headquarters thereafter in Ohio. In June, 1863, I was on special duty at Memphis, Tenn., and Cairo, Ill., by order of the Honorable Secretary of War.

It is my duty as commanding officer of the Military Telegraph Department to exercise a general supervision of all its lines, to give such orders and directions to the subordinate officers in this branch of the public service as may from time to time be necessary for the better conduct of the relative affairs and business therein, and to supervise the purchase of all the material which the wants or exigencies of the various departments may demand.

The military telegraph lines required by the Government have been constructed over an extensive and scattered territory, embracing the District of Columbia, parts of the States of Pennsylvania, Ohio, Indiana, Illinois, Maryland, Delaware, Virginia, North Carolina, South Carolina, Louisiana, Mississippi, Alabama, Arkansas, Tennessee, Kentucky, Missouri, Kansas, and the Indian Territory.

Under the immediate direction of Major Eckert, assistant superintendent of the Department of the Potomac, 300 miles have been constructed during the year. Under the direction of Captain Smith, assistant superintendent of the Department of the Missouri, 548 miles have been constructed during the year, one mile of which was submarine. Under the direction of Captain Bruch, assistant superintendent, Departments of the Ohio, Cumberland, and Mississippi, 510 miles have been constructed during the year. Under the direction of Captain David, assistant superintendent of the Department of Western Virginia, 97 miles have been constructed during the same period. Under the direction of Captain Bulkley, assistant superintendent, Department of the Gulf, 300 miles have been built, one mile of which was submarine.

On the 1st day of July, 1862, there were 3,571 miles of land and submarine lines in working order. During the fiscal year 1,755 miles of land and submarine line were constructed, making the total number of miles of land and submarine military telegraph lines in operation during the year, 5,326, being length of line sufficient to girdle more than one-fifth of the circumference of the globe.

It should be borne in mind that a large proportion of this labor has been performed, as it were, in the presence of an armed foe. Some

*See Series I, Vol. LII, Part I, p. 479.

times the lines have been required to take their course through portions of the revolted States actually in the possession of the enemy, and upon such occasions the constructing parties have been obliged to perform their labor during the night-time only to avoid detection and capture by the enemy. It would be difficult to enumerate the hazards, vexations, and obstacles incident to the construction of military telegraph lines.

The telegraph is ever at the front, occupying the post of danger and of honor. It has been frequently in advance of the army, and it cannot be denied but that the result of its enterprising hazard has often proved of much advantage to our forces. But few cases of capture of telegraphers by the enemy have occurred when these experts have voluntarily assumed advanced and exposed positions.

Follow the army where you will, there you will find the telegraph exercising its vigilance and its protection over the surrounding camps. At the foremost picket-posts, in the rifle-pits, and in the advanced parallels, at any hour of the day or of the night, you can listen to the mysterious yet intellectual click of the telegraph instrument. Amidst the strife of battle and the whistling of bullets its swift, silent messengers pass unseen and unharmed.

It is through the medium of the telegraph that the vast amount of supplies of various descriptions required for the daily sustenance of the armies are ordered forward from their depositories. If an advance of the army is to be made, all deficiencies to the comfort and necessities of the troops or any lack of the material of war can, by the assistance of the military wires, be immediately ordered and speedily procured. If a retrograde movement is contemplated, all detachments adjacent to the line of march are quickly notified by telegraph, and the whole column is in motion at once.

The public mind has but a faint conception of the magnitude of the uses of the army telegraph. Its importance and utility in a military campaign are fully understood only by those who are constantly brought into contact with it as a medium for the daily transaction of their important and extensive business. The military telegraph offices are kept open day and night, continually, the lines thus never being closed to the transaction of business.

Take a glance along the military railroads of the country, and in quiet company with the long, continuous band of iron rail you will observe the air lines of iron wire through which the electric winged messengers of thought flashed the orders of our commanders from one section of the country to another. A distant command on some part of the line receives, through the means of this lightning communication, its orders to move forward and create a diversion in favor of the struggle which is going on in some other part of the line, and, perhaps, by destroying the enemy's line of communication, or his supply trains, a victory is won. General orders are given, armies are moved, battles are planned and fought, and victories won, with the assistance of this simple yet powerful aide-de-camp—the military telegraph. Even the history of this unholy rebellion is being recorded by the electric dottings of the telegraph from day to day, as the war progresses, let us hope, to its speedy termination, and a reunion against all enemies for all future time. The military railroads and telegraphs are the great arteries which warm the soul and keep alive the body of our grand Union Army.

By a close estimate it appears that at least 1,200,000 telegrams have been sent and received over the military lines in operation during the

fiscal year ending June 30, 1863, being at the rate of about 3,300 per diem. These messages have varied in length from 10 to 1,000 words, and upward, and generally were of an urgent or most important character.

All business of an important or confidential nature has been transacted in cipher, and the contents of the telegrams thus transmitted have been known only to the War Department or general officers with whom they originated and the sworn cipher operators. This mode of secrecy has been invaluable to the Government and of great advantage to military operations.

The operators in the service of the U. S. military telegraph, as a general rule, have manifested a spirit of patriotism and devotion to their duty in the highest degree commendable. They are not bound by any military regulations or organizations, yet they have undergone all the exposure, the dangers and privations of camp life with a degree of endurance and forbearance worthy of mention. They have been on duty night and day, and, of all the many important trusts and positions bestowed upon them, there is yet to be recorded the first case of recreancy to the task confided to them.

The amount of pay generally received by these persons is not considered a fair remuneration for the service performed. Instances of meritorious conduct on the part of telegraphers in the field I should be glad to have rewarded by favorable mention of, or the presentation of suitable medals to, such persons.

I take pleasure in acknowledging the valuable services of my assistant superintendents, Major Eckert and Captains Bruch, Smith, David, Bulkley, and Wade. These officers have given their personal and undivided attention to the interests of the military telegraph, and to their exertions it is indebted for its uniform promptness, reliability, and usefulness.

I would call especial attention to the paper herewith, marked G, it being a report from Captain Bulkley, assistant superintendent, Department of the Gulf, upon the removal of rebel obstructions in the Bayou Teche, La. Major-General Banks having called upon Captain Bulkley to remove the impediments to the navigation of the bayou, he undertook the task and speedily succeeded in accomplishing the same. I would call attention also to the report of Captain Bulkley herewith, marked H, on "Beardslee's Magneto Field Telegraph."

July 1, 1862, there was remaining in my hands the sum of $9,829.24. During the fiscal year ending June 30, 1863, I received from the Treasurer of the United States, at Washington, D. C., $418,000, making the total amount of funds in my possession during the fiscal year, for application to operating and constructing military telegraph air and water lines within the United States, $427,829.24. I have made a proper rendition of the same to the accounting officers of the Government. From this amount I have transferred to my subordinate quartermasters of the U. S. military telegraph during the year the sum of $295,265.43, and disbursed on service account $55,711.76, and to the purchase of property $70,795.99.

In September, 1862, I officially transferred to Major Eckert, Captains David, Bruch, Smith, and Wade the military telegraph lines and property in the respective departments of which they were previously in nominal charge. On the 30th of June, 1863, there was remaining in my possession a balance of $6,056.06 in Government funds, which was deposited in my safe at Cleveland, Ohio.

I desire to express my obligations to the Honorable Secretary of War for the unlimited voluntary interest and assistance extended by himself and his Department in and to the U. S. military telegraph. This kind support has contributed to a great extent in making the military telegraph what it is to-day—a reliable, useful, and indispensable assistant to the Government in the conduct of military operations both in and out of the field.

It has been a pleasant reflection both to myself and my assistant superintendents to know that our efforts to accomplish all that has been required of us have been duly appreciated and acknowledged by the War Department, although, perhaps, our energies may not always have realized our own most sanguine expectations.

The impression that our exertions have generally received the approval of the Honorable Secretary of War has been an agreeable incentive to renewed and untiring efforts to successfully accomplish the various tasks required of us.

STATEMENT OF LINES.

	Miles.
Line in operation July 1, 1862	3,571
Constructed during fiscal year	1,755
Line in operation, fiscal year	5,326

Very respectfully, your obedient servant,

ANSON STAGER,

Col., Asst. Quartermaster, and Supt. U. S. Military Telegraph.

A.

M. C. MEIGS,

Quartermaster-General, Washington, D. C.:

GENERAL: Agreeably to General Orders, No. 13, issued from your department July 22, 1863, I respectfully submit to you, through Col. A. Stager, the chief officer of the U. S. military telegraph, the following as my report of the operations and condition of the military telegraph in the Department of the Potomac, from September 1, 1862, to June 30, 1863, my official duties for the fiscal year ending June 30, 1863, having commenced at the first-mentioned date:

From September 1, 1862, to June 30, 1863, I was stationed at Washington, D. C., as assistant quartermaster, U. S. Army, in charge of the U. S. military telegraph in the Department of the Potomac. It has been my duty to superintend the construction, equipment, operation, and management of the military telegraph in my department, and to such purpose I have devoted my undivided energy and attention.

It is a matter of congratulation to me, and I trust to the Government, that from the uniform interest manifested by the telegraph employés in their several vocations and the willingness on their part to undergo privation and hardship that the welfare of the Government and its cause might be served, but little delay in the construction of new military lines, when required, has occurred and but slight interruption has occasionally existed to the daily operation of the several lines in this department.

The general service which the telegraph performs is specially important to the Government and imperative in its character, the successful operation of army movements often depending upon the reliability and promptness of the telegraph and its operators. The amount of Government business transmitted over the military wires has been enormously large and, in its general purport, of the most vital nature.

It is a matter of gratification to me and merited compliment to my subordinates to be assured that this vast amount of important labor has been performed to the satisfaction of the Honorable Secretary of War and his Department.

The following statement will show the length of military land and submarine telegraph lines in operation in this department on the 1st of September, 1862, the number of miles of line constructed since that date, the number of miles taken down or abandoned since September 1, 1862, what lines are now standing and in working order, and the number of miles they embrace:

STATEMENT OF LINES.

	Miles.
Submarine line in operation September 1, 1862	25
Submarine line in operation June 30, 1863, as follows:	
Wilmington to Cherrystone	1
Cherrystone to Back Creek Light	20
Sewell's Point to Newport News	4
Total	25
Land line in operation September 1, 1862	465
Constructed from September 1, 1862, to June 30, 1863	2,894
In operation during year	7,544
Taken down or abandoned	2,734
In operation on the 30th of June, 1863	481

As follows:

List of lines.

Washington depot to Alexandria	9	Fort Allen to Minor's Hill	3
Washington to Point of Rocks	51	Fort Monroe to Yorktown	27
Washington to Fort Corcoran, six wires	15	Fort Monroe to Hampton	3
Washington War Office, thirteen wires	2	Fort Monroe to Back Creek Light-House	7
Washington, additions in city	8	Fort Monroe, through the city	3
Washington, three wires on G street	22	Fairfax Court-House to Centerville	7
Alexandria to Seminary	3	Hall's Hill to Minor's	2
Alexandria to Manassas, via Court-House	32	Loop to Newport News	9
Alexandria, through the city	4	Point of Rocks to Harper's Ferry, two wires	24
Alexandria additions	4	Hartwood to Grove Church	13
Alexandria to the wharf	2	Poolesville to Leesburg	12
Aqueduct to Chain Bridge	3	Warrenton Road to Hartwood	4
Aqueduct to Tennallytown	3	Portsmouth to Suffolk	17
Fort Corcoran to Upton's Hill	5	Sewell's Point to Portsmouth	11
Fort Corcoran to Fort Ethan Allen, four wires	22	Wilmington to Cape Charles	158
Fort Corcoran to Alexandria, two wires	14	Centerville to Gainesville	5
Fort Corcoran to Seminary	9	Frederick City to Toll Gate	3
Fort Corcoran to Fort Ethan Allen	4	Total	481

The property generally received by me was such as pertained to the construction and operation of the military telegraph and may be classed as follows:

Submarine cable, iron wire, cordage, insulators, combination instruments, field instruments, relays, relays and keys, keys, sounders, registers, nitric acid, sulphuric acid, blue vitriol, Grove zincs, local zincs, message blanks, message paper, envelopes, shovels, hatchets, pliers, vises, horses, harness, wagons, &c.

The principal expenditure of property has occurred in the following list of articles:

Iron wire, insulators, nitric acid, sulphuric acid, blue vitriol, Grove zincs, local zincs, message blanks, message paper, envelopes, shovels, &c.

The public property unavoidably lost, destroyed, or captured by the enemy while in my charge has been small, and its value not to exceed $700.

No description of property captured from the enemy has come into my possession.

The accompanying table will show the most important items of property received by me from September 1, 1862, up to June 30, 1863, and the amount of each, respectively, what had been transferred, expended, or lost from September 1, 1862, to June 30, 1863, and what remained on hand at the close of the fiscal year.*

From September 1, 1862, up to June 30, 1863, I received from Col. A. Stager, acting quartermaster, chief of the U. S. military telegraph, the sum of $80,451.90, which was duly accounted for by me to the proper departments.

Of this amount I expended during the period above mentioned $71,549.82, and properly accounted for the same, leaving a balance of $8,902.08 in my hands June 30, 1863, which was deposited in my safe at Washington, D. C.

Of the $71,549.82 expended, $70,201.30 was applicable to service account, and $1,348.52 to the purchase of property.

Very respectfully, your obedient servant,

THOS. T. ECKERT,

Major, Assistant Quartermaster, and Assistant Superintendent.

C.†

OFFICE ASST. SUPERINTENDENT MILITARY TELEGRAPH,
Clarksburg, W. Va., September 16, 1863.

Col. ANSON STAGER,
General Supt. Military Telegraph, Cleveland, Ohio:

COLONEL: In compliance with your order and with General Orders, No. 13, I respectfully submit the following report:

My commission as assistant quartermaster was accepted July 31, 1862, when I was ordered to "report to the general superintendent of military telegraph lines for duty," and received orders to "proceed at once to Saint Louis and reorganize the military telegraph in the Department of the Mississippi." Having been connected with the military telegraph from its adoption, a sojourn of six weeks in that department enabled me to learn the evils the management had fallen into, and how best to overcome them at the least expense to the Government. A lack of system was the main trouble. The plan adopted was designed to lessen the expense, to facilitate operations, systematize accounts, and make the telegraph of the greatest possible service for military operations. In this I believe I was successful. The system adopted continues in operation as far as is practicable at the present time. On the completion of the reorganization a division of the department was recommended, and on its adoption I was ordered to assume control of telegraph lines in the Department of Western Vir-

* Table omitted.

† For Captain Bruch's report (inclosure B), see Series I, Vol. LII, Part I, p. 479.

ginia, to date from September 1, 1862. Having previously acted as assistant superintendent of military telegraphs in this department from the breaking out of the rebellion, it was simply a resumption of my former duties.

The telegraph in this department has been equal to all emergencies. The first wire was erected in the month of July, 1861, by order of Major-General McClellan, to follow up the army moving on to Cheat Mountain via Buckhannon and Beverly. Being an experiment in military operations, and regarded with disfavor by some old and experienced army officers, it was the desire of the general superintendent that the importance of the telegraph should be felt, and I was ordered to give the construction of this line my personal supervision. The experiment proved successful, as witness the fact that the commanding general was thereby enabled to change the plan of the campaign three times in as many days, a matter then stated to be unparalleled in military history.

In September of the same year Brigadier-General Rosecrans ordered the construction of a line following his army to Gauley Bridge, via Weston, Sutton, and Summersville, and subsequently ordered it extended during the same fall and winter down the Big Kanawha River to Hamden, Ohio. These lines were constructed under the personal supervision of Mr. W. G. Fuller, of Ohio.

In May, 1862, Major-General Frémont succeeded to the command of the (then Mountain) department. The plan of the campaign was the movement of two columns—one from Gauley Bridge, via Raleigh and Princeton, under command of Brigadier-General Cox; the other, up the New Creek Valley, via Monterey and Warm Springs, under command of General Frémont.

The telegraph line was ordered to follow both columns, and we were successful in keeping them in constant communication, notwithstanding the route laid, for the most part, through a wild and heavily timbered country, which increased the ordinary causes of interruption, and afforded hiding places for the guerrillas, who were continually committing depredations on the wires. The lines from Hamden, Ohio, to Gauley Bridge, from Clarksburg to Weston and to Beverly, and from Green Spring Run to Romney are still in operation; all the others are, for the present, abandoned.

The property which has come into my possession in the year ending June 30, 1863, consists of horses and equipments, telegraph instruments, and telegraph material designed for and applied to the construction, repairs, and operation of military telegraph lines in Western Virginia. A tabular statement of the principal items has been forwarded to the Quartermaster-General.

The only property lost during the year was by capture, and consists of two horses, one relay magnet, and one operating key, the value of which articles does not exceed $200.

The sums of money which have been received by me from September 1, 1862, to June 30, 1863, inclusive, amount to $20,591.10. The disbursements equal the amount received, balancing my account with the Treasury Department to June 30, 1863.

A statement has been forwarded to the Quartermaster-General.

Very respectfully, your obedient servant,

THOS. B. A. DAVID,

Capt. and Asst. Quartermaster, Asst. Supt. Military Telegraphs.

D.

U. S. MIL. TEL., ASST. QUARTERMASTER'S OFFICE,
Cleveland, Ohio, September 30, 1863.

General M. C. MEIGS,
Quartermaster-General U. S. Army, Washington, D. C.:

GENERAL: In compliance with General Orders, No. 13, dated July 22, 1863, I have the honor to submit the following report:

My commission of captain and quartermaster was accepted on the 28th of September, 1862, and on the 10th of October, 1862, I was stationed at this place under the following order:

U. S. MILITARY TELEGRAPH, WAR DEPARTMENT,
Washington, D. C., October 10, 1862.

Capt. R. P. WADE,
Assistant Quartermaster, Cleveland, Ohio:

You are assigned to duty as assistant superintendent of U. S. military telegraph lines in the territory north of the Ohio River and east of the Mississippi River, and you will be especially charged with the distribution of telegraph supplies for the various departments of the military telegraph. Other assistant superintendents are directed to make requisition upon your office for supplies.

Very respectfully,

ANSON STAGER,
Colonel, Assistant Quartermaster, and Supt. U. S. Mil. Tel.

I have been on duty at this place to this date, furnishing supplies to all of the telegraph departments. Said supplies were exclusively for the U. S. military telegraph, being wire, insulators, submarine cables, battery material, and stationery. No public property in my possession has been "lost, destroyed, or captured;" neither has any rebel property fallen into my hands.

No property mentioned in the tabular form of General Orders, No. 13, has been in my possession during the year.

Amount of funds received from all sources previous to June 30, 1863, $52,432.44; amount of funds expended previous to June 30, 1863, $52,244.04; amount of funds remaining on hand June 30, 1863, $188.40.

No transportation accounts have been settled or contracted by me, as all supplies purchased and shipped by me to the various military telegraph departments have thus far been sent subject to charges for freight.

Very respectfully, your obedient servant,

R. P. WADE,
Captain, A. Q. M., and Asst. Supt. U. S. Mil. Tel.

E.

OFFICE ASST. SUPT. U. S. MILITARY TELEGRAPH,
Saint Louis, Mo., October 2, 1863.

Col. ANSON STAGER,
General Superintendent Military Telegraph, Cleveland, Ohio:

In accordance with General Orders, No. 13, I have the honor to report that I was assigned to duty as assistant quartermaster and assistant superintendent U. S. military telegraph for the Department of the Missouri in September, 1862, by Col. Anson Stager, assistant quartermaster and general superintendent military telegraphs, to

whom I was ordered to report for duty by the Quartermaster-General, and since my appointment and assignment to duty I have been stationed at Saint Louis, Mo. The force under my command consists of telegraph operators, foremen, laborers, wagon-masters, and teamsters, which force, except operators, is divided into working parties for the construction and repairs of telegraph lines, the operators being stationed at the various offices in the department.

There was on the 30th day of September, 1862, 774 miles of telegraph in good working order in this department; 31st of October, 774 miles; 30th of November, 865 miles; 31st of December, 895 miles; 31st of January, 1863, 773 miles; 28th of February, 877 miles; 31st of March, 877 miles; 30th of April, 675 miles; 31st of May, 798 miles, and on the 30th of June, 1863, 798 miles telegraph in good working order. Also there was 242 miles of telegraph lines constructed in this department from the 1st of September, 1862, to the 30th of June, 1863; 305 miles repaired during the same period, and 523 miles of telegraph line was abandoned, most of which was destroyed by rebels in southeast and Southwest Missouri. My return for the fiscal year ending June 30, 1863, commences in the month of September, 1862, and is consolidated for the intervening months, showing what property has come into my possession and what material has been purchased (Abstract D); what property has been received from officers (Abstract E); what property was transferred to officers (Abstract M), and also the amount of property and material lost, destroyed, worn out, &c. (Abstract L); showing what property remained in my possession on the 30th day of June, 1863.* I have enumerated the principal articles only. The most important property lost in this department and exhibited on Abstract L are: 4 mules, valued at $110 each; 4 sets mule harness, at $24 each set; 14 horses, at $93 per head; 7 saddles, at $7 each; 13 bridles, at $1.25 each; 16 halters, at $1 each; 2 sets of horse harness, at $24 per set; 12 sets single harness, at $12 per set; 1 wagon (four-horse), at $75; 22 long-handled shovels, at 90 cents each; 3 short-handled shovels, at 64 cents each; 78 axes and handles, at $1 each; 1 pickax and handle, at 90 cents; 39 short-handled shovels, at 78 cents each; 2 post augers, say $5 each: 38 pairs climbers, at $2.50 each; 36 sets pulleys and rope, at $3.25 per set; 108 pliers, at 75 cents each; 8 cutting pliers, at 80 cents each; 40 hand vises, at 75 cents each; 26 wire connectors, at $1 each; 22 crowbars, at 90 cents each; 45 hand axes and handles, at $1.50 each; 7 relays at $16 each; 4 keys, at $5 each; 2 sounders, at $6 each; 2 registers, at $35 each; 9 field instruments, at $12 each; 10,406 insulators, at 17 cents each; 54,543 pounds iron wire, at 10 cents per pound; 129 army blankets, at $3 each. Several other articles of minor importance appear on Abstract L, but they were expended in the public service. I also send you herewith a list of all the employés in the service of the U. S. military telegraph in this department on the 30th September, 1863, in conformity with Order No. 12.*

Hoping that all may be found satisfactory,

I am, colonel, very respectfully, your obedient servant,

GEO. H. SMITH,

Captain, A. Q. M., and Asst. Supt. Military Telegraph.

Per WILLIAMS.

*Abstracts and list of employés omitted.

F.

U. S. MILITARY TELEGRAPH,
New Orleans, August 29, 1863.

Col. A. STAGER,
A. Q. M. and Superintendent U. S. Mil. Telegraph:

COLONEL: Pursuant to General Orders, No. 13, I have the honor to report that my appointment in the Quartermaster's Department, assigning me to duty in the Department of the Gulf, as assistant superintendent of U. S. military telegraphs, is dated January, 1863. Since the first day of this month up to June 30, 1863, there has been constructed 244 miles of telegraph lines, connecting Bonnet Carre, Donaldsonville, Baton Rouge, Port Hudson, Franklin, and New Iberia with New Orleans. The march of the army, Major-General Banks commanding, from Baton Rouge toward Port Hudson in the month of March last was followed up with the lines, and retired with the same to Baton Rouge. In the month of April following we built lines from Brashear City up the Bayou Teche immediately with the army of Major-General Banks. During this march was fought the battle of Bisland, on Sunday, April 12. In May, with the command of Major-General Augur, we built lines again toward Port Hudson, commencing at Baton Rouge and finishing at the headquarters of Major-General Banks, before Port Hudson. On May 30, during the march of General Augur's division, was fought the battle of Plains Store. To the above was immediately added fourteen miles of lines, connecting the headquarters of divisions and Springfield Landing with the headquarters of Major-General Banks. During the siege of this place our lines were lengthened and offices advanced toward the enemy's works with the changes in the position of our forces. Immediately upon the surrender of Port Hudson our lines were extended inside the fortifications and an officer established there. I was present and engaged in all the marches before named and before Port Hudson during the siege. The property generally received has been telegraph wire, submarine cable, insulators, instruments, mules, wagons, and harness. No property in my hands has been lost, captured, or destroyed. Have no captured rebel property in my hands. I have received $9,841.17. Amount of purchases, $409.12, and expenditures, $6,128.80, leaving a balance in my hands, June 30, 1863, of $3,303.25.

Very respectfully,

CHAS. S. BULKLEY,
Captain and Asst. Quartermaster and Asst. Superintendent.

G.

WASHINGTON, *November 6, 1863.*

Col. ANSON STAGER,
Gen. Supt. U. S. Mil. Telegraph, Washington, D. C.:

COLONEL: I have the honor to report in regard to the operations in Bayou Teche that I was ordered by Major-General Banks to proceed up the above-named bayou with the necessary apparatus, and, with the aid of a colored regiment of the engineers' service, to remove the obstructions, consisting of two sunken vessels filled with brick, secured by piles driven around them, and the iron-clad gun-boats, Cotton and Hart, making in all four barriers, completely closing the bayou. The water being shallow and the vessels embedded in the muddy bottom, it was impossible to operate with powder inside their hulls owing to the slight resistance the shallow water would give us above

the charge, nor could the charges be successfully placed beneath them with the means at my disposal. The only course left was to place them as low as possible alongside the hulls. The first charge of eighty pounds was exploded near the bow of one of the vessels filled with brick, which moved her bodily twenty feet, tearing down the piles and discharging part of her brick cargo; with twenty-five-pound charges she was then broken up and hauled to the banks. Vessel No. 2 was removed in the same manner, but with less powder, not being so thoroughly filled with brick. The gun-boat Cotton was found loaded with her heavy machinery; rather than risk the chances of dropping this in the bayou, we removed her stern only. In this case one charge of eighty pounds was used inside her hull with good effect, considering the shallow water only six feet in depth. Small charges of twenty-five pounds alongside the fragments completed the removal. The gun-boat Hart also had her machinery on board and three large boilers which were under water, securely bolted to her hull and connected with large boiler-iron pipes. We succeeded in placing a charge of fifty pounds under these near the farther end from shore. By this explosion they were torn from their fastenings and landed near the bank of bayou, besides shattering the hull. Our next charge of 200 pounds was placed alongside, directly amidships in water nine feet in depth. This removed her center from side to side completely, and her ends were rapidly hauled near the bank. This cleared the bayou, and rendered it navigable for our steamboat transportation. In removing these we expended 750 pounds of powder and used three cups of Grove battery to ignite the charges. Our conducting wires were 2,000 feet in length, the electric current passing from this over a small platina wire fixed in a cartridge in the case containing charge. This conducting wire is part of a lot captured in New Orleans of Confederate manufacture, rather imperfect, and intended for exploding torpedoes in the Mississippi River. In compliance with the order of Major-General Banks, the U. S. Military Telegraph Department has furnished the necessary apparatus, material, and superintendence for this work. The colored regiment, Colonel Robinson commanding, rendered the most willing and efficient aid.

I am, most respectfully, your obedient servant,

CHAS. S. BULKLEY,

Captain, A. Q. M., and Asst. Supt. U. S. Mil. Telegraphs.

H.

NEW YORK, *November 7, 1863.*

Col. ANSON STAGER,

Gen. Supt. U. S. Mil. Telegraph, Washington, D. C.:

COLONEL: I have the honor to acknowledge the receipt of your communication with the inclosed "Beardslee's Military Telegraph" pamphlet.

He commenced by asserting that "a portable telegraph has long been a desideratum," which "became more apparent during the early stages of the rebellion," and that "the then known system of telegraphing was tried with indifferent success." Admitting this, we start from the same point with the same facilities for establishing portable lines, but with the possession of a most perfect portable instrument in our favor. "Galvanic batteries adapted to active service in the field" are not only possible but accomplished facts. They are light, simple in construction, and can be transported on pack animals. In the Department of the Gulf we have "soldier" operators, and the

"click" of our instruments "have been heard and read by civilians in the roar of cannon and din of war" full as near the opened batteries of Port Hudson as the most enthusiastic admirer of Beardslee's machine ever steadily manipulated his instrument. If the "enemy can connect with the wires of the Union lines" on poles, he can certainly connect more rapidly with those on the ground, or if a "telegraph station is taken by the enemy" the result would be the same, whatever the instrument used. The statement that electric currents from our batteries "require very large conducting wires" can only deceive those unacquainted with telegraphing. One smallest relay magnet wire that is no larger than a horse hair can be worked by our system ten times the distance that he can work one of any size. It is a proved and established fact that magnet electric currents will not give the certain, steady, and continuous flow over long lines that is produced by the galvanic current generated in a battery. Material for galvanic batteries is not necessarily "carried in glass or earthen vessels," but can "be transported in metallic vessels," or even in gunny bags. The most destructible materials used in the construction of our field batteries is sheet copper, and the "considerable supplies" would amount to one pound of material per day for a line of 100 miles in length. If "officers, and even soldiers from the ranks, become expert operators with these instruments after a few hours' practice," to be without good operators must be inexcusable folly. Hence the frequent errors in the transmission of these messages must result from imperfection of the instrument. In the last movement of our army up the Bayou Teche I was ordered to make New Iberia the end of our line. From this place Beardslee's instruments were used with the field wire eighteen miles in length toward Vermillionville, which they worked in two circuits of nine miles each. The errors in the messages transmitted were so frequent and annoying that we were obliged to send mounted orderlies with copies of all given them. At Port Hudson these instruments were so inefficient and their performance so unsatisfactory that Major-General Banks gave me orders to take and work their wire of three miles and a half in length, which we connected with our own camp lines and worked to the end of the siege. Major Myer's signal officer in his communication states that there is "occasional liability of going to the next letter to the one intended." The train in the Department of the Gulf, for which they made requisition over the Opelousas Railroad for transportation, consisted of 12 wagons, 38 mules, 13 horses, 52 enlisted men, and 10 teamsters, with 18 miles of wire, of which the parties in charge informed me. Our force, which has not been exceeded, consists of 52 white men (including operators at 23 stations), 13 negroes, 4 horses, 10 mules, 2 army wagons, and 1 ambulance, with 510 miles of lines now working. Our lines have been generally kept up with the advance, giving the other system but little opportunity to display the superiority claimed. In the field before Port Hudson the commanding general had an operator at his side, who was connected with important points throughout the whole extent of our lines. We are using the same field wire as the Beardslee system, with as much ability to establish lines rapidly. Our perfect instruments are less than two pounds in weight, and their reliability is proved by the success of the Morse telegraph during the past fifteen years. Our whole working apparatus is light, simple in construction, and certain in its operations.

I am, most respectfully, your obedient servant,

CHAS. S. BULKLEY,

Capt., A. Q. M., and Asst. Supt. U. S. Military Telegraph.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, November 1, 1863.

Col. ROBERT NUGENT,
Actg. Asst. Prov. Mar. Gen., New York City,
Maj. FREDERICK TOWNSEND,
Actg. Asst. Prov. Mar. Gen., Albany, N. Y.,
Maj. A. S. DIVEN,
Actg. Asst. Prov. Mar. Gen., Elmira, N. Y.:

The representations made by Dean Richmond and Peter Cagger in a printed circular, dated October 27, 1863, in respect to the action of the Provost-Marshal-General, are untrue. It is not true that the State of New York is charged as with a deficiency for every citizen who has paid the $300 commutation money, receiving no credit therefor. On the contrary, the State receives the same credit for a man who has paid commutation as if the drafted citizen had gone in person or furnished a substitute, and in like manner towns which have raised the money to pay for their quotas receive the same credit as if actual substitutes had been furnished, and the President has ordered that every citizen who has paid the $300 commutation shall receive the same credit therefor as if he had furnished a substitute and is exonerated from military service for the time for which he was drafted, to wit, for three years.

As the misrepresentations of Dean Richmond and Peter Cagger have been published and circulated for electioneering purposes, it is proper that you give them immediate correction.

JAMES B. FRY,
Provost-Marshal-General.

NEW YORK, *November 1, 1863.*

Col. JAMES B. FRY:

I have just seen Mr. Greeley, who will have the dispatch published and copies sent to all the papers in the city.

I have given instructions to telegraph company to have it sent to Associated Press all over the State, so that it will appear to-morrow morning and all over the country.

R. NUGENT,
Acting Assistant Provost-Marshal-General.

EXECUTIVE MANSION,
Washington, November 2, 1863.

Governor BRADFORD, *Baltimore, Md.:*

I revoke the first of the three propositions in General Schenck's General Orders, No. 53,* not that it is wrong in principle, but because the military being of necessity exclusive judges as to who shall be arrested, the provision is too liable to abuse. For the revoked part I substitute the following:

That all provost-marshals and other military officers do prevent all disturbance and violence at or about the polls, whether offered by such persons as above described, or by any other person or persons whomsoever.†

The other two propositions of the order I allow to stand. My letter at length will reach you to-night.

A. LINCOLN.

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* See Series I, Vol. XXIX, Part II, p. 394.

† Promulgated in General Orders, No. 55, Middle Department, November 2, 1863, *ibid.*, p. 411.

WASHINGTON, *November 2, 1863.*

His Excellency A. W. BRADFORD,
Governor of Maryland:

SIR: Yours of the 31st ultimo was received yesterday about noon, and since then I have been giving most earnest attention to the subject-matter of it. At my call General Schenck has attended, and he assures me it is almost certain that violence will be used at some of the voting places on election day, unless prevented by his provost guards. He says that at some of those places the Union voters will not attend at all or run a ticket unless they have some assurance of protection. This makes the Missouri case of my action, in regard to which you express your approval.

The remaining point of your letter is a protest against any person offering to vote being put to any test not found in the laws of Maryland. This brings us to a difference between Missouri and Maryland. With the same reason in both States, Missouri has by law provided a test for the voter with reference to the present rebellion, while Maryland has not. For example, General Trimble, captured fighting us at Gettysburg, is, without recanting his treason, a legal voter by the laws of Maryland. Even General Schenck's order admits him to vote, if he recants upon oath. I think that is cheap enough. My order in Missouri, which you approve, and General Schenck's order here, reach precisely the same end. Each assures the right of voting to all loyal men, and whether a man is loyal, each allows that man to fix by his own oath.

Your suggestion that nearly all the candidates are loyal I do not think quite meets the case. In this struggle for the nation's life I cannot so confidently rely on those whose elections may have depended upon disloyal votes. Such men, when elected, may prove true; but such votes are given them in the expectation that they will prove false. Nor do I think that to keep the peace at the polls and to prevent the persistently disloyal from voting constitutes just cause of offense to Maryland. I think she has her own example for it. If I mistake not it is precisely what General Dix did when Your Excellency was elected Governor.

I revoke the first of the three propositions in General Schenck's General Orders, No. 53, not that it is wrong in principle, but because the military being of necessity exclusive judges as to who shall be arrested, the provision is too liable to abuse. For the revoked part I substitute the following:

That all provost-marshals and other military officers do prevent all disturbance and violence at or about the polls, whether offered by such persons as above described, or by any other person or persons whomsoever.

The other two propositions of the order I allow to stand.

General Schenck is fully determined, and has my strict orders besides, that all loyal men may vote, and vote for whom they please.

Your obedient servant,

A. LINCOLN,
President of the United States.

BALTIMORE, *November 2, 1863—10.20 p. m.*

A. LINCOLN,
President of the United States, Washington, D. C.:

Governor Bradford has issued this evening such a proclamation in regard to my order in relation to elections that I deem it absolutely

essential to have your correspondence with him here immediately. Will you please have telegraphed to me, or send by special messenger to-night, full copies of his letter and your reply.*

ROBT. C. SCHENCK,
Major-General, Commanding.

MILITARY ORDER. } HDQRS. MIDDLE DEPT., EIGHTH ARMY CORPS,
Baltimore, Md., November 2, 1863.

PROPRIETORS OF THE AMERICAN TELEGRAPH COMPANY:

You are directed not to telegraph or to allow any one else to telegraph over your lines a proclamation by the Governor, dated at Annapolis, November 2, 1863 (this day), signed by His Excellency A. W. Bradford, in relation to General Orders, No. 53, from these headquarters, nor to send any notice or intimation of such an order being published by the Governor until you have further orders and permission from me in regard to the same.

ROBERT C. SCHENCK,
Major-General, Commanding.

(Copy sent to the Independent Line.)

MILITARY ORDER. } HDQRS. MIDDLE DEPT., EIGHTH ARMY CORPS,
Baltimore, Md., November 2, 1863

EDITORS AND PUBLISHERS OF THE BALTIMORE AMERICAN:

You are directed not to publish in your newspaper, or in any other form, a proclamation by the Governor, dated at Annapolis, November 2, 1863 (this day), and signed by His Excellency A. W. Bradford, in relation to General Orders, No. 53, from these headquarters, until you have further orders and permission from me in regard to the same.

ROBERT C. SCHENCK,
Major-General, Commanding.

CIRCULAR No. 98. } WAR DEPT., PROV. MAR. GENERAL'S OFFICE,
Washington, November 3, 1863.

The following regulations are established, with the approval of the Secretary of War, and will govern mustering and disbursing officers in their payments of the advance bounty, premium, and advance pay to recruits (not veterans) enlisted by recruiting officers to serve for three years or the war, in old regiments now organized, whose terms of service expire in 1864 and 1865:

I. To all recruits enlisting as above required there will be paid one month's pay in advance, and in addition a bounty and premium amounting to $302, as follows, viz:

On being mustered into the U. S. service, under this authority, and before leaving the recruiting station or depot to join his company or regiment, the recruit shall receive one month's advance pay	$13
First installment of bounty	60
Premium	2
Total pay before joining his regiment	75

* The correspondence was telegraphed to Schenck 11 p. m. November 2, 1863.

At the first regular pay-day, or two months after muster-in, an additional installment of bounty will be paid	$40
At the first regular pay-day after six months' service an additional installment of bounty will be paid	40
At the first regular pay-day after the end of the first year's service an additional installment of bounty will be paid	40
At the first regular pay-day after eighteen months' service an additional installment of bounty will be paid	40
At the first regular pay-day after two years' service an additional installment of bounty will be paid	40
At the expiration of three years' service, or to any soldier enlisting under this authority, who may be honorably discharged after two years' service, the remainder of the bounty will be paid	40

II. If the Government shall not require these troops for the full period of three years, and they shall be mustered honorably out of the service before the expiration of their terms of enlistment, they shall receive, on being mustered out, the whole amount of bounty remaining unpaid, the same as if the full term had been served.

III. The legal heirs of soldiers who die in service shall be entitled to receive the whole bounty remaining unpaid at the time of the soldier's death.

IV. "Veteran volunteers" will receive the one month's advance pay, bounty, and premium, as authorized in General Orders, Nos. 191 and 324, current series, and Circular No. 97, of October 26, 1863, from this office.

JAMES B. FRY,
Provost-Marshal-General.

PAYMASTER-GENERAL'S OFFICE,
Washington, November 3, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I have the honor to submit herewith a report of the transactions of the Pay Department of the Army for the fiscal year ending June 30, 1863, and of its present condition:

There remained in the hands of paymasters on June 30, 1862, applicable to payments in the first quarter of the last fiscal year, the sum of $26,239,720.47; in addition to which requisitions have been made on the Treasury in their favor, and amounts received from other sources (exclusive of those transferred from one to another), the sum of $229,094,792.25, making a total to be accounted for in the last fiscal year of $255,334,512.72. This sum has been disbursed or accounted for as follows:

Payments to Regular Army	$6,539,386.79
Payments to volunteers	181,596,078.35
Payments to Military Academy	103,345.33
Amount of requisitions drawn in favor of paymasters, but not issued from the Treasury or received by paymasters on June 30, 1863	32,816,000.00
	231,054,810.37
Leaving a balance in the hands of the various paymasters to be accounted for on June 30, 1863, of	34,279,702.35

This balance of $34,279,702.35, together with the above amount of $32,816,000, of requisitions not issued on the 30th of June last, but since drawn out, has been used in payments to the troops made between June 30, 1863, and the present date.

The balance reported in the hands of paymasters on June 30, 1862, differs from such balance, as stated in the last annual report, by the sum of $1,360,453.19, which is accounted for as follows:

Errors in the last balances reported during the fiscal year ending June 30, 1862, and subsequently corrected	$861,273.09
Balances of dead and discharged officers not included in this statement	326,479.59
Balances of seceded officers not included in this statement	172,700.51
	1,360,453.19

The troops in the various armies and distributed over the whole area almost of the United States have, it is believed, been paid with commendable promptness and regularity.

Funds have been furnished and distributed for the required payments in full to August 31, 1863, and payments have been made to all the armies to that date, except to the armies of the Cumberland and in East Tennessee, where the military operations in progress prevented the disbursing officers making such payments, though provided with funds and ready to distribute them as soon as deemed proper by the department commanders. Additional funds have been furnished the paymasters of those armies to make a payment in full to October 31, 1863, and they will commence such payment immediately after the muster of that date unless forbidden by the commanding general.

Requisitions have also been made for the funds required to pay all the remainder of the troops in service to October 31, 1863, and it is expected that these funds will be promptly furnished by the Treasury Department, and that by the 1st of December next the various armies will all be paid in full to the latest possible date, viz, October 31, 1863.

On the 4th of August last the steamer Ruth, having on board a party of paymasters and the sum of about $2,600,000 in U. S. notes for the payment of the army of General Grant, was destroyed by fire on the Mississippi River below Cairo, and all the money on board consumed. The strictest investigations and the inquiry of a board of officers, appointed by yourself, leave no doubt that these funds were entirely destroyed. Being in U. S. notes, there is no actual loss to the Government, as they can be replaced by issuing new notes.

I would respectfully urge that Congress be requested to pass an act for the relief of the paymasters who are now charged on the books of the accounting officers of the Treasury with the funds thus destroyed.

The officers of the Pay Department of the Army consist at present of 1 Paymaster-General, with the rank of colonel; 2 deputy paymasters-general, with the rank of lieutenant-colonel; 25 paymasters and 329 additional paymasters, with the rank of major. This number of officers is considered ample for the performance of all the duties of the Pay Department with the present size and distribution of the various armies in the field.

It has, however, been found absolutely necessary, for a proper organization of the department, and to insure the prompt and regular performance of its duties, to establish certain pay districts, generally corresponding in number and limits to the various military departments. In each of these districts a corps of paymasters is stationed and placed under the charge and superintendence of some selected officer, who receives all the funds for the payments required in such district, distributes them to his subordinate paymasters, directs and

arranges the payments to the troops, and superintends the performance of all the duties required of the Pay Department in such district. I believe it to be highly important for the interests of the service that these chief paymasters should have a rank above their subordinate officers, and would respectfully recommend that Congress be requested to authorize the appointment of a limited number of paymasters, say twenty-three, with the rank of lieutenant-colonel, to be chosen from among the most efficient officers of this department now in service, and who can then be detached as chief paymasters of districts, or for such other special duty as may be of particular importance. The additional expense to the Government under this plan will be less than $7,000 per annum, and can be much more than compensated by the increased efficiency of the force and the ability to dispense with the services of several paymasters now required in the different pay districts and who will not be needed under such new organization. During the Mexican war it was found necessary to appoint two deputy paymasters-general, with the rank of lieutenant-colonel, for a similar duty, and that grade and number of officers are still retained, but are entirely inadequate for the large number of paymasters now in service and the numerous and widely separated armies, &c., in which payments should be properly superintended. The large increase of the number of paymasters, the consequent multiplication of their accounts, and the other constantly increasing business of the Paymaster-General's Office have rendered an addition to the number of clerks authorized for this office absolutely essential. I would, therefore, respectfully request that authority be asked to increase the clerical force by adding five clerks of class three, ten clerks of class two, and fifteen clerks of class one.

I have the honor to be, sir, very respectfully, your obedient servant,

T. P. ANDREWS,
Paymaster-General.

PAYMASTER-GENERAL'S OFFICE,
Washington, December 4, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: In obedience to your instructions I have the honor to submit the following supplemental report concerning the operations of the Pay Department of the Army from the close of the last fiscal year, ending June 30, 1863, to November 30, 1863. This report I respectfully request may be considered in connection with the one made on November 3, 1863:

On June 30, 1863, there was in the hands of paymasters the unexpended sum of	$34,279,702.35
There was also in the Treasury, in the shape of requisitions in favor of various paymasters, not then issued, the sum of	32,816,000.00
Making a total then to be accounted for of	67,095,702.35
Between June 30, 1863, and November 30, 1863, requisitions in favor of paymasters were made to the amount of	59,100,000.00
Making thus a grand total to be accounted for on November 30, 1863, of	126,195,702.35
Of this amount requisitions are still in the Treasury unissued amounting to	6,500,000.00
Leaving the amount in the hands of paymasters for payment up to November 30, and balances on hand at that date, of	119,695,702.35

It is impossible to state accurately what portion of this amount has been actually disbursed and what portion is now in the hands of paymasters applicable to future payments. The payments to the 31st of October (the last regular pay-day of the Army) have been progressing during the whole of the last month, and are now just about closing, and none of the paymasters' accounts for such payments have, of course, as yet been received. From many of the distant stations the paymasters' accounts for payments on the muster-roll of August 31, 1863, which payments were made during the two following months of September and October, have not yet reached here. In two important instances—those of the armies of the Cumberland and East Tennessee—no payment was made on the rolls of August 31, the condition of the armies and the wishes of their commanding generals forbidding the same. The payments to those armies, therefore, now just closing, cover the period of four months from June 30, 1863, to October 31, 1863.

Under such circumstances, and with such, as yet, imperfect data, it is impossible to report in detail what amount of funds has been actually expended up to November 30, 1863, and what is the balance now in the hands of the various paymasters.

It may, however, safely be assumed that such balance is unusually small. The estimates of the amounts required for 31st of October payments were found to be insufficient, owing to the large increase of the armies under the operations of the conscription act and the revival of volunteering under the present great inducements. Additional requisitions were required to be made to obtain the necessary funds to finish such payments, and even with these additional requisitions the paymasters have barely had enough to close their payments, and in some instances have fallen a little short of the requisite amount. The balances of funds remaining on hand at the present date may therefore be safely reported as very small.

As regards the payments to the troops, it may be reported substantially that the various armies in the field are paid in full to October 31, 1863, the latest date allowable by law and regulation. No official report of the payments to that date have as yet been received from the Pacific Coast, the Department of New Mexico, or the army under General Banks, nor has there been time for such reports to reach here. Sufficient funds for the payments at those stations were, however, forwarded in due time, and at each a force of paymasters was in readiness to receive the same and at once commence its disbursements. These payments are, therefore, most probably finished before this date.

The army at Chattanooga had been paid in full before the last military operations there, except a portion of General Sherman's command, which he had brought overland from the Mississippi, and which could not be reached by paymasters till it arrived at Chattanooga. Payments were going on in this command when the late movements commenced, and the paymasters were ordered by General Grant to retire with their funds to Nashville and await further orders.

Twelve paymasters were engaged in paying General Burnside's army around Knoxville when the late attack was made on him by the rebels. They have remained at Knoxville, and have not been heard from since the siege of that place commenced.

The payments in the Army of the Potomac were completed, except a few brigades, before the late movements. They have now been resumed and will be entirely finished during the coming week.

With the exceptions above stated, all the troops in service throughout the country have been paid to October 31, 1863.

I have the honor to remain, sir, with highest respect, your obedient servant,

T. P. ANDREWS,
Paymaster-General.

JUDGE-ADVOCATE-GENERAL'S OFFICE,
November 3, 1863.

Hon. E. M. STANTON,
Secretary of War:

It is well known that since the commencement of the rebellion, vast as has been the increase of the duties and labors of this office, there has been no legislative provision enlarging the instrumentalities for their performance. The machinery of the office remains as when the Army consisted of but some 13,000 men. This condition of things is the more striking when it is remembered that in every other branch of the military service legislation has kept pace with the wants created by the emergencies of the war.

The following is a summary of the business dispatched in this office from September 1, 1862, to November 1, 1863, a period of fourteen months:

Number of records of trials by general courts-martial and military commissions reviewed	17,357
Number of reports made as to the regularity of proceedings, on applications for restoration to the service, and for the pardon of offenders, and remission or commutation of sentences	2,318
Miscellaneous reports on other questions referred to the office	172

While many of these reports are brief, many are long and elaborate, involving an examination of complicated masses of fact and of difficult legal questions. As recorded, they occupy about 2,000 quarto pages.

This augmentation of labor and responsibility has been imperfectly met by temporary details, for which it is believed there should be substituted an independent organization as a bureau, which shall continue at least during the war. That such a measure would add greatly to the efficiency of this branch of the service cannot be doubted; and for this reason it is earnestly recommended. Should this view be favorably entertained, I would suggest the following appointments as essential under such an organization:

Two assistant judge-advocates-general, with the rank, pay, and emoluments, each, of a major of cavalry; one fourth-class, one third-class, two second-class, and two first-class clerks.

The current business of the office requires the amount of capacity and labor which these appointments would secure.

All of which is respectfully submitted.

J. HOLT,
Judge-Advocate-General.

HDQRS. MIDDLE DEPARTMENT, EIGHTH ARMY CORPS,
Baltimore, Md., November 3, 1863.

TO THE LOYAL PEOPLE OF MARYLAND:

A very extraordinary proclamation was issued last evening by His Excellency A. W. Bradford, Governor of Maryland, in relation to General Orders, No. 53, from these headquarters.

I will not presume, with my knowledge of Governor Bradford, that that proclamation was designed to produce collision between the military power and the citizens who may be assembled at the polls to vote at the election to-morrow; but I cannot doubt that its obvious tendency is to invite and suggest such disturbance. When that proclamation came to my knowledge, late last night, I felt it my duty to take measures for restricting as far as possible its circulation in those parts of the State to be most affected by it, until there could go out with it the letter of the President of the United States on the subject, written yesterday to Governor Bradford, a copy of which I have now obtained.

I will make for myself but one or two comments on the proclamation.

The intimation of the Governor that my order might have been prompted by some other consideration than patriotic purpose or official duty is unworthy of reply and unworthy of him. He knows, and the people of Maryland and this military department know, how single and earnest and constant has been my aim to avoid all side influences, and to keep in view and act steadily upon the idea of maintaining the just authority of the National Government against disloyalty in all its forms, and for the general good only.

It was in this spirit that I issued the general order in question. Its principal purpose is to prevent traitorous persons from controlling in any degree by their votes or taking part in the coming election.

The order is not aimed at candidates, either individually or as a class, as the Governor would presume.

Neither is it aimed at nor can it by any proper interpretation in any way interfere with the rights of loyal voters. It is only framed and intended to exclude from a voice in the election of those who are to administer the affairs, either of the National Government or of this loyal State, such individuals as are hostile to that Government of which Maryland is a part.

Will any good citizen pretend that the exclusion of such persons is not a wise and wholesome protection due to those who adhere to and sustain the Constitution and lawful authority? And it is clearly not a hardship to be complained of by the individual challenged for such disqualification when he is permitted to purge himself by his own oath of allegiance to the Government in the management of which he claims a share.

Governor Bradford himself cannot appreciate more highly than I do the sterling loyalty of the great majority of the people of Maryland, but he must know, as I do, that there still remains at large, from the forbearance of the Government authorities, a very considerable number who are more or less actively engaged in aiding and encouraging rebels in arms. Even in his proclamation he admits the existence of such prevailing disloyalty in the counties of at least one of the Congressional districts.

But my general order was only put forth after the receipt through all the last month of a great number of letters, petitions, and appeals in person from respectable and loyal citizens throughout the southern part of the State, particularly on both sides of the bay, imploring the issuing of such an order. I have only failed in complying with this request by making its provisions less stringent than justice and fairness to loyal citizens seemed to them to demand.

I will add, only to show with what anxiety I have sought on this occasion to secure peace and good order at the polls, that officers

intrusted with this duty have in every instance been furnished with either written or printed instructions, of which the following is one clause:

The officers and men are to be cautioned not to commit or permit any unlawful violence. They must not enter into political discussions, and are to remember that while protecting the polls from rebel sympathizers they are conservators of the peace and are there to support the judges of election.

Even Governor Bradford could scarcely object to this.

I now repeat to the provost guards that instruction, and enjoin upon them that while they enforce the observance of the general order firmly and faithfully as directed, they do it in every respect discreetly and temperately.

I append copies of the President's letter and of the general order, modified.*

ROBERT C. SCHENCK,
Major-General, Commanding.

OFFICE OF CAVALRY BUREAU,
Washington, D. C., November 4, 1863.

[General GEORGE STONEMAN:]

GENERAL: I have the honor to inclose for your information a list, marked Exhibit A, showing the number of cavalry regiments in service the 6th day of August, 1863, by referring to which you will perceive that there were in service at that date 174 regiments, having (August 6, 1863) an aggregate of 134,883 and an effective strength of 109,126.

An additional list is also inclosed, marked Exhibit B, showing that thirty-three regiments have been authorized to be raised since August 1. A majority of these regiments have been already organized and some have taken the field. I would call your attention to the paper marked Exhibit C, showing the number and effective strength of the regiments serving in the various departments and armies.

The information which has been obtained in regard to the condition of the cavalry arm of the service, although very meager, shows it to be good, notwithstanding the unprecedentedly arduous service it has been called upon to perform all over the country.

I am, general, very respectfully, your obedient servant,
A. J. ALEXANDER,
First Lieut., Third Cavalry, Assistant Chief of Cavalry.

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* See p. 982, *ante*, and Series I, Vol. XXIX, Part II, p. 411.

A.

List of cavalry regiments by States.

State.	Number of regiments.	Date.	Strength.	
			Aggregate.	Effective.
Arkansas	2	Aug. 6, 1863	1,194	1,002
Alabama	1	....do	592	431
Connecticut	1	....do	390	328
California	2	....do	1,661	1,560
Colorado Territory	1	....do	953	864
Delaware	1	....do	270	254
District of Columbia	1	....do	306	293
Indiana	6	....do	5,543	4,281
Illinois	16	....do	11,759	9,637
Iowa	8	....do	7,919	6,820
Kentucky	14	....do	10,162	7,974
Kansas	5	....do	4,064	3,300
Louisiana	1	....do	655	483
Maine	1	....do	901	613
Massachusetts	2	....do	1,912	1,434
Maryland	2	....do	1,457	1,168
Michigan	9	....do	7,854	6,138
Missouri Volunteers	9	....do	7,508	5,676
Missouri State Militia	9	....do	8,633	7,368
Minnesota	1	....do	1,189	913
New Mexico	1	....do	1,028	918
New York	22	....do	15,219	12,378
New Jersey	2	....do	1,953	1,828
Nevada Territory	1	....do	199	191
Nebraska	1	....do	1,169	1,107
North Carolina	(a)	....do	49	49
Oregon	1	....do	572	525
Ohio	10	....do	8,678	7,180
Pennsylvania	19	....do	14,690	11,090
Pennsylvania (six-months)	3	....do	3,153	3,072
Rhode Island	2	....do	1,069	602
Tennessee	9	....do	5,150	4,045
Texas	1	....do	340	291
Vermont	1	....do	831	560
Virginia	4	....do	2,684	2,286
Wisconsin	4	....do	3,149	2,307
Total	174	.....	134,883	109,126

a One company.

A. J. ALEXANDER,
First Lieutenant, Third Cavalry, Assistant Chief of Cavalry.

B.

List of cavalry regiments now organizing for the service of the United States.

State.	Designation.	Being raised by.	Location.
New York	12th	James W. Savage	New Dorp.
Do	13th	Henry S. Ganseyoort	Do.
Do	15th	R. M. Richardson	Syracuse.
Do	16th	S. H. Olmstead	New Dorp.
Do	17th	Henry D. Townsend	Elmira.
Do	18th	James J. Byrne	New Dorp.
Do	Griswold Light	Wm. B. Tibbits	Troy.
Do	1st Veteran	R. F. Taylor	Elmira.
Do	2d Veteran	M. H. Chrysler	Saratoga Springs.
Do	McClellan	N. B. Lord	Sackett's Harbor.
Do	Washington	W. A. Hammell	New Dorp.
Do	Governor's Guard	John Fiske	Lockport.
Massachusetts	2d a	Lieutenant-Colonel Russell	Seat of war.
Do	1st and 3d Battalions b	Captain Tewksbury	Hilton Head.
Do	1st Battalion Veterans b	Captain Keith	

a Whole number mustered in about 1,000. b Have begun recruiting.

B.—List of cavalry regiments now organizing for the service, etc.—Continued.

State.	Designation.	Being raised by.	Location.
Rhode Island	3d	Willard Sayles	State at large.
New Jersey	2d *a*	Joseph Kargé	
Maryland	2d *b*		
Do	3d *c*		
Ohio	9th (2d Battalion) *d*	Maj. T. P. Cook	State at large.
Do	12th *e*		Do.
Do	4th and 5th *f*	(Independent Battalion)	Do.
Michigan	10th *g*	F. W. Kellogg	Grand Rapids.
Do	11th *g*	Do	Kalamazoo.
Iowa	8th *h*		Davenport.
Do	9th		
Pennsylvania	19th *i*	Alex. Cummings	Philadelphia.
Minnesota	Independent *j*	A. C. Hatch	Frontier.
Maine	Veteran Cavalry		
Indiana	1st Regiment		
Kentucky	13th		
Kansas	14th *k*	Major-General Blunt	State at large.

a Seven hundred men, recruiting brisk.
b Five companies, recruiting stopped, as well as for all other six-months' organizations.
c Strength not known. Authority was given to raise eight companies cavalry, to be attached to Home Brigade cavalry (a three-years' organization). I use eight companies to serve six months. No means of knowing what number have been recruited, or whether recruiting still continues.
d One battalion in the field.
e Authorized August, 1863.
f Six months' service, nearly complete.
g It is expected that these regiments will be completed in a very short time.
h About ready for muster into U. S. service.
i Six companies reported mustered.
j Two companies authorized and reported nearly recruited.
k About 500 men recruited.

A. J. ALEXANDER,
First Lieutenant, Third Cavalry, Assistant Chief of Cavalry.

C.

List showing the number and strength of cavalry regiments in the various armies and departments August 6, 1863.

Department or army.	Number of regiments.	Effective.
Twenty-third Army Corps	13	9,788
Sixteenth Army Corps	13	7,365
Department of the Northwest	3	2,988
Twenty-second Army Corps	6	3,889
Department of the Missouri	27	21,284
Department of West Virginia	12	7,285
Department of New Mexico and Pacific	4	3,194
Middle Department	7	1,967
Cavalry Corps, Army of the Potomac	35	19,787
Department of Washington	5	2,729
Department of the Cumberland	23	13,749
Department of the Ohio	4	2,910
Department of Virginia and North Carolina	5	3,342
Department of the East	1	435
Camp of Instruction	1	1,203
Department of the Gulf	8	3,121
Thirteenth Army Corps	2	1,984
Department of the Tennessee	5	3,033
Total	174	109,128

A. J. ALEXANDER,
First Lieutenant, Third Cavalry, Assistant Chief of Cavalry.

HARTFORD, *November 4, 1863.*

Col. J. B. FRY:

From your letter dated October 19 I infer that if Connecticut shall furnish 5,432 volunteers before the 5th of January no draft will be made for any deficiency under former calls until the President makes another call. As our General Assembly is in session, and its action will depend very much upon the correctness of my interpretation of your letter, I would respectfully ask you to advise me at once whether I am right or not.

WM. A. BUCKINGHAM,
Governor of Connecticut.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Saint Louis, November 4, 1863.

His Excellency SAMUEL J. KIRKWOOD,
Governor of Iowa, Iowa City:

GOVERNOR: I am in receipt of your letter of October 31 asking that authority be granted to recruit in Missouri enough colored men to complete the regiment now organizing at Keokuk. I intend to commence in a very short time a system of recruiting colored troops in Missouri, and will fill up the Keokuk regiment from the first regiment obtained. I cannot permit officers to go through the State recruiting in the usual manner, because of the abuses which necessarily result and the consequent disturbance in the country.

Permit me to suggest that the men you now have be organized into full companies and I will have the remaining companies of the regiment organized in Saint Louis, so that the whole regiment may be sent South with as little delay as practicable.

Very respectfully, your obedient servant,

J. M. SCHOFIELD,
Major-General.
By O. D. GREENE,
Assistant Adjutant-General.

STATE OF NEW HAMPSHIRE.

A Proclamation by His Excellency Joseph A. Gilmore, Governor of the State of New Hampshire.

The President of the United States has issued a proclamation calling upon the Governors of the loyal States to raise for the service of the United States before the 5th day of January next 300,000 volunteers. The quota for New Hampshire under this call will be as follows:

For the First Congressional District	1,390
For the Second Congressional District	1,129
For the Third Congressional District	1,249
Total	3,768

The quotas of the different towns and wards will be announced as speedily as possible from the adjutant-general's office.

I would impress upon the loyal citizens of New Hampshire the fact that this call of the President is not unnecessary. The recent draft has furnished very few men to our armies. The term of service of many of our volunteers is about to expire. If we throw into the field

a fresh army of "300,000 more" before the 1st of January their term of service will be short, while they will win the same honor and emoluments with those who have "borne the burden and heat of the day." The moral effect of such a re-enforcement of our armies, following such victories as Gettysburg, Vicksburg, and Port Hudson, will be the death blow of the rebellion. The volunteers who shall be mustered into the service from this State are designed to fill up the ranks of New Hampshire regiments which have already won immortal fame, and each recruit will be permitted to designate the corps which he wishes to enter. The General Government gives to each fresh recruit $302, to each veteran $402. In addition to these sums I do hereby (with the advice and consent of the Executive Council) offer a bounty of $100 to every man who volunteers in response to this call before the 5th day of January next, and I would recommend to the several cities and towns to take immediate measures for promptly raising their full quota by offering (in accordance with the law enacted July 9, 1862) reasonable town bounties to be paid in addition to the Government and State bounties; or for the purpose of cashing the bounties offered by the General Government so that they shall be paid to each volunteer in full when he is mustered into service.

Let me remind the citizens of New Hampshire that if this call is not met before the 5th of January, 1864, a draft will then be ordered in this State to meet all deficiencies up to that date. The conscription act provides that the first class of those enrolled shall be exhausted before the second is called upon; and every member of the first class may consider himself as elected unless this call for volunteers is promptly met, and there is a strong probability that Congress, immediately on coming together, will strike from the conscription act the commutation clause and cause every able-bodied man who is drafted to be represented in the field.

It is very evident that some who have stayed at home and talked war must, under this call, report themselves for duty. It is evident that those who have deprecated and opposed the recent draft must now show their faith in volunteering by their works. Men of New Hampshire, we can meet this call upon us before the 1st of January, and, God helping us, we will do it. Women of New Hampshire, it is your duty to say to the husbands, brothers, sons, and friends whom your influence has hindered from responding to the calls of their country: "Go to the rescue or be accounted false to your country and to God." Shall the Granite State, the State of Langdon and Stark, prove recreant in such a crisis as this? God forbid!

Given at the council chamber, at Concord, this 4th day of November, in the year of our Lord 1863, and of the Independence of the United States the eighty-eighth.

JOSEPH A. GILMORE,
Governor.

ALLEN TENNY,
Secretary of State.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., November 4, 1863.

His Excellency J. A. GILMORE,
Governor of the State of New Hampshire, Concord, N. H.:

SIR: I have the honor to acknowledge the receipt of your communication of the 26th ultimo to the Hon. E. M. Stanton, Secretary of

War, and by him referred to this Bureau, asking certain questions relative to the raising of troops by volunteer enlistments, and other matters having an important bearing upon the same subject.

The present policy of the Department is to devote all its efforts to filling up the old organizations and not to attempt the raising of new ones. Your application, therefore, to raise a regiment of veteran infantry, a regiment of cavalry, and one or more batteries cannot be granted.

Fourth: Men enlisting may select any organization whose term of service expires in 1864 or 1865.

You ask, fifth: "Is it the intention of the Government to draft upon the 5th day of January for any deficiency which may exist in the 5,336 men called for from our State by the present draft, or only for any deficiency which may exist in the 3,768 volunteers called for by the proclamation?"

In reply, I would state that all that can be said on this point is that it is now thought that if the call for volunteering is successful no draft will be made, and if a draft should be necessary from failure to raise volunteers, then the question of excess or deficiency will be considered.

You ask, sixth: "Am I authorized to apportion the quotas for the late draft and of the 300,000 volunteers, adopting the basis of the first class enrolled among the various towns in the various sub-districts, which apportionment will be regarded in making the next draft?"

In reply to this question I would state that the provost-marshal-general of the State will be directed to see that each town is made a sub-district, and the quotas of the 300,000 volunteers may be assigned by you to towns.

I have the honor to be, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

CONCORD, N. H., *November 4, 1863.*
(Received 8 p. m.)

Hon. E. M. STANTON:

SIR: If to secure its quota under the last call of the President for 300,000 men the State of New Hampshire or the various towns should pay in cash to each man mustered the amount of the bounty offered by the General Government, and take an assignment of his claim for a bounty, will the Government pay these bounties to the State or towns instead of to the men at the time and in the manner they are to be paid to the soldiers, respectively? If this can be done, we all concur that we can raise our full quota speedily. Answer by telegraph.

J. A. GILMORE.
DANL. CLARK

CIRCULAR No. 99. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, November 5, 1863.*

I. Special agents, employed in accordance with paragraph 12 of the Regulations for the Government of the Provost-Marshal-General's Bureau, will not hereafter be paid the reward of $30 for the apprehension and delivery of deserters, unless they elect to relinquish their monthly pay, and receive in future only the reward.

II. All deserters arrested must be delivered to the provost-marshal of the district in which the arrest is made, in order that the necessary investigation may be had and proper action taken. No rewards for arrest of deserters will be paid unless the person arrested is so delivered, and the fact of delivery certified to by the provost-marshal who receives him.

JAMES B. FRY,
Provost-Marshal-General.

(NOTE.—Amended circular.—The one of the same number, previously issued, to be destroyed.)

HARTFORD, CONN., *November 5, 1863.*

Col. J. B. FRY:

I may not have been understood. If Connecticut furnishes her quota under the last call of the President will a new draft be ordered to make up the deficiency under the present draft?

WILLIAM A. BUCKINGHAM,
Governor.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., November 5, 1863.

His Excellency Governor BUCKINGHAM,
Hartford, Conn.:

If Connecticut by the 5th of January furnishes 5,432 volunteers her quota under the President's proclamation, October 17, 1863, for 300,000 men, no draft will take place in that State at that time.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., November 5, 1863.

If a State furnishes her full quota of volunteers under the President's call of October 17, 1863, for 300,000, the draft ordered for 5th January, 1864, will not take place in that State.

JAMES B. FRY,
Provost-Marshal-General.

(Sent to each acting assistant provost-marshal-general except Maj. D. D. Perkins, Connecticut.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., November 5, 1863.

His Excellency Governor GILMORE,
Concord, N. H.:

Your telegram to Secretary of War asking if the State of New Hampshire or the various towns should pay in cash to each man mustered the amount of the bounty offered by the General Government, and take an assignment of his claim for bounty, will the Government pay these bounties to the State or towns instead of to the men, has been received.

The proposition will be entertained and the bounty paid to the State or to towns, as proposed by you, for every recruit raised under the present call and duly mustered into U. S. service and delivered at the general rendezvous.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., November 5, 1863.

His Excellency J. A. GILMORE,
Governor of New Hampshire, Concord, N. H.:

SIR: I have the honor to acknowledge the receipt of your letter of the 3d instant. The deficiency of New Hampshire upon the present draft was arrived at by deducting the number obtained up to October 17 from the quota, without reference to the 50 per cent. additional.

The quota of the State under the present draft was 5,336, one-fifth of the number enrolled in class one.

The draft in the State was for 5,336, and 50 per cent. additional; that is to say, for 8,004.

From reports received up to October 17 it appeared that 1,777 had been obtained, including the number of drafted men held to service, together with substitutes and those who had paid commutation. Deducting this number (1,777) from the quota (5,336) the deficiency on the draft remained 3,559, which, added to the quota of the State under the President's proclamation, amounts to 7,715, the number set down in the letter assigning quotas.

This deficiency under the present draft (3,559) is subject to be reduced by all obtained since October 17. It has been reduced, as it appears from reports received up to the present date, to the extent of 576, leaving it, as reported to this date, 2,983, and will, of course, be still further reduced as the examination of drafted men progresses.

I have the honor to be, very respectfully, Your Excellency's obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

These facts in reference to the present draft were merely given for your information and not as a charge of deficiency against the State.

J. B. F.,
Provost-Marshal-General.

GENERAL ORDERS, No. 359. WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, November 6, 1863.

I. To carry out the provisions of paragraphs 8 and 9, General Orders, No. 191, current series, from this office, in reference to volunteers who may come within the limit for re-enlistment as veteran volunteers, as fixed by General Orders, No. 305, current series, the following regulations are established:

MUSTERS OUT OF SERVICE.

1. The muster out or discharge of all men who may re-enlist, and their re-enlistments and consequent remusters, will be under the

immediate supervision and direction of the commissaries and assistant commissaries of musters for the respective armies and departments. The said officers will make all musters out of and remusters into the service.

2. All men who desire to take advantage of the benefits of the veteran volunteer order by re-enlistment under it will be regularly mustered out of service on the prescribed muster-out rolls. The discharges prescribed by paragraph 79, Mustering Regulations, will be furnished in all cases. A remark will be made on the muster-out rolls, over the signature of the commissary or assistant commissary of musters, as follows: "Discharged by virtue of re-enlistment as a veteran volunteer, under the provisions of General Orders, No. 191, series of 1863, from the War Department."

RE-ENLISTMENTS AND REMUSTERS.

3. Simultaneously with the muster out and discharge, but of the date next following it, the veteran volunteers will be formally remustered into the U. S. service "for three years or during the war." This will be done on the prescribed muster-in rolls (muster and descriptive roll of recruits). These rolls will be made out from the re-enlistments and descriptive lists of the men. (See section 4 of this paragraph.) The following remark will be made on the muster-in rolls, over the signature of the commissary or assistant commissary of musters: "Remustered as veteran volunteers, under General Orders, No. 191, War Department, series of 1863."

4. Regimental commanders, under the direction of commanders of brigades, will select and appoint a recruiting officer for their respective commands and charge him with the re-enlistment of the veterans thereof. The re-enlistments will be made in duplicate and on the blank for "Volunteer Enlistment." A descriptive roll of the men will be made out at the same time. The duplicate re-enlistment and descriptive roll will be forwarded or taken by the recruiting officer to the commissary or assistant commissary of musters who may be in charge of the musters for the organization to which the men belong. The mustering officer will countersign the re-enlistment papers and file the descriptive roll with the records of his office. One copy of the re-enlistment will be delivered by the mustering officer to the paymaster, to assist him in the examination and verification of the accounts; this copy will be forwarded with the said accounts to the proper accounting officer of the Treasury. The second copy of the re-enlistment will be returned by the mustering officer to the regimental commander, and by him forwarded to the Adjutant-General of the Army with the monthly recruiting return required by paragraph 919, Army Regulations, from superintendents of regimental recruiting service.

PAYMENTS.

5. The Pay Department of the Army is hereby charged with all payments (final dues under original enlistments, advanced pay, bounties, and premiums) of the volunteers discharged and remustered as directed in this order. The final payments under the original enlistments will be made on the muster-out rolls.

The amount of the "total payment on muster" (remuster), paragraph II, General Orders, No. 324, Adjutant-General's Office, current

series, will be made under the rules set forth in General Orders, No. 163. The consolidated receipt rolls, referred to in the said order, will be certified to by the commissary or assistant commissary of musters charged with the remuster of the veteran volunteers into service. The payments on discharge and those due on remuster will be made at the same time, and in full, immediately after the men are remustered into the service.

II. Commanders of armies and departments are hereby charged with the faithful execution of this order, and will issue such instructions under it as in their opinion will best secure the object in view. Troops to be discharged and remustered as veterans will be reported by the proper commanders, through army or department headquarters, to the Paymaster-General. The reports will be made at a date such as will avoid delay in the payments being made.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., November 6, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I have the honor to submit the following report of the operations of the bureau of your office under my immediate charge:

On the 28th day of April, 1863, General Orders, No. 105, was issued by the Secretary of War, authorizing the formation of an Invalid Corps.

Pursuant to this order boards were appointed in May and June to examine and report on the condition of all men in hospitals and convalescent camps, with a view of, first, sending all men fit for active service to the field; second, selecting such as were not able for field duty and transferring them to the Invalid Corps; third, recommending such as were totally disabled for discharge.

The following, selected from the reports of two of these boards, will serve to exhibit, in part, the results of their operations:

Board.	Transferred to the Invalid Corps.	Returned to their regiments.	Returned to hospitals.	Recommended for discharge.	Total number examined.
Doctor Coolidge's	3,366	2,458	1,754	149	7,727
Captain Peterson's	2,783	1,805	129	324	5,041
Total	6,149	4,263	1,883	473	12,768

These returns represent partial operations only in the Army of the Potomac (by Doctor Coolidge's board) and in the Army of the Cumberland (Captain Peterson's board).

In addition to the operations of these boards a general order was issued authorizing corps commanders to have examined and transferred to the Invalid Corps all men of their commands who should be

found on examination to be unfit for further field service. Depot camps of rendezvous for these men were established at Saint Louis, Mo., New York, and other suitable points. The men thus obtained were divided into two battalions, according to the nature of their disability. The First Battalion is armed with muskets and is designed to perform duty in large cities and towns as provost guards, and to make short marches, in case of necessity; to convey drafted men to and from the rendezvous; to guard them; to guard prisoners and convey prisoners to their destination and, if need be, to man fortifications: in fact, to do all kinds of garrison duty. For this battalion men were selected who were disabled for field service by reason of disease which was liable to be aggravated by exposure to the hardships of camp life and bivouacking, but who retained the full use of all their limbs.

The Second Battalion is armed with swords and revolvers, and is designed to do duty in hospitals, offices, store-houses, and depots of supplies. This battalion is composed of men who have lost a leg or an arm, or whose physical disability, owing to wounds, or aggravated disease contracted in the line of duty, renders them unable to perform duty in the First Battalion.

As soon as a company of either battalion was organized, clothed, armed, and equipped, it was assigned to duty where its services were most needed, relieving the men of active regiments on duty there. Thus invalids have gradually been assigned to duty, as the organization progressed, until now the men of the First Battalion perform the provost and guard duty, and at the draft rendezvous in many of the States; while the Second Battalion supplies clerks, nurses, attendants, and guards for many of the general hospitals, relieving, man for man, men of active regiments, and enabling the surgeons to send them to duty in the field. The magnitude of this labor can be estimated from the fact that over 2,000 men of the Second Battalion are now employed in this duty in the hospitals of Washington alone, and the surgeons express themselves highly pleased with the manner in which the duty is performed. It is designed to supply every hospital in the country with men of the Invalid Corps, thus obviating the necessity for retaining any men fit for active service on permanent duty at any of these institutions.

It must be borne in mind that while the men are rendered thus useful during the unexpired period of their enlistment they would, if sent back to their regiments, have been an incubus to an active army, impeding its operations by straggling on a march or overcrowding ambulances and field hospitals, owing to physical disability. Prior to the organization of the corps most of the men now in it would have been, under existing regulations and law, discharged from the service with a pension of $8 per month, in return for which they would render no service to the Government. By retaining them in this corps, at an addition to this pension of only $5 per month, rations, and clothing, Government receives from each the full service of an active man, while the men are furnished with honorable employment suited to their physical capacities, and are spared the necessity of becoming pensioners, and shielded from the undoubted evils of a life of idleness.

Though but little more than six months have elapsed since the order authorizing the formation of the corps was issued, over 200 companies of invalids have been organized. From these sixteen regiments, numbering ten companies each, have been thus far formed. Each regi-

ment consists of six companies of the First Battalion and four of the Second, and is thus capable of performing both provost and hospital duty wherever it is stationed.

The following statement exhibits the strength of the corps on the 31st of October, 1863:

Number of enlisted men who have been transferred to the corps from armies in the field, hospitals, and convalescent camps, to serve their unexpired terms of enlistment		16,448
Number of recruits enlisted in the corps for three years (men who had been honorably discharged on account of wounds or disease contracted in service)		1,431
Total		17,879
Enlisted men discharged:		
On account of disability	87	
On account of expiration of term of enlistment	1	
By order of the General-in-Chief	1	
Dishonorably discharged	26	
		115
Total number of enlisted men		17,764
The whole number of officers appointed in the corps to the 31st of October, 1863, was		501
Number declining to accept appointments	3	
Number of appointments revoked	2	
Number resigned	2	
Number dismissed the service	3	
		10
Total number of officers		491
Number of officers of each grade:		
Colonels		16
Lieutenant-colonels		16
Majors		8
Captains		166
First lieutenants		169
Second lieutenants		116
		491
Total number of enlisted men		17,764
Total number of commissioned officers		491
Aggregate		18,255

Statement of the number of companies organized in each month.

Month.	First Battalion.	Second Battalion.	Total.
June	16	6	22
July	23	8	31
August	41	30	71
September	18	22	40
October	22	17	39
Total	120	83	203

The above companies were organized at the following places:

Places.	First Battalion.	Second Battalion.	Total.
Camp Convalescent, Va	29	23	52
In the Department of Washington	7	2	9
Depot Camp, Meridian Hill, D. C	6	5	11
In the State of Vermont	1	1	2
In the State of Connecticut	1	1	2
In the State of Rhode Island	3	2	5
In the State of New York	6	5	11
In the State of New Jersey	1	1	2
In the State of Pennsylvania	13	9	22
In the State of Maryland	4	2	6
Fort Monroe, Hampton, and Portsmouth, Va	.....	5	5
In the State of Tennessee (Nashville and Murfreesborough)	22	8	30
In the State of Kentucky	7	8	15
In the State of Indiana (Camp Joe Holt)	3	2	5
In the State of Illinois	1	.....	1
In the State of Ohio	2	3	5
In the State of Missouri (Camp Alexander, Saint Louis)	14	6	20
Total	120	83	203

Of the above companies 96 of the First Battalion and 64 of the Second Battalion, total 160, have been formed into regiments, leaving 24 companies of the First Battalion and 19 of the Second Battalion, total 43 companies, yet to be formed into regiments.

The assistance furnished me on the 9th of May was 4 clerks, and others have been added from time to time, and 4 officers have since that date been assigned to duty with me, and the force now consists of 1 field officer, 1 captain, and 1 first lieutenant of the corps, and 1 assistant adjutant-general of volunteers (captain); total 4 officers; and the following clerical force: Second class clerks, 2; first class clerks, 11; copying clerks, 2; enlisted men, 2; total number of clerks, 17.

In performing all the duty incidental to transferring to the Invalid Corps over 16,000 men from active regiments, two-thirds of them with utterly deficient military history and record, and in organizing those men into companies and regiments in every State in the Union, I am entirely indebted to the zeal, fidelity, and industry of the limited number of officers and clerks who have labored in my office and who have cheerfully worked an average of five nights in the week to keep the work from getting in arrears.

To Col. E. B. Alexander, Tenth U. S. Infantry, in charge of the principal depot of the corps in the West, and to Maj. W. H. Sidell, Fifteenth U. S. Infantry, in charge of the large depot at Louisville, Ky., the department is largely indebted for their great energy and success in the organizations under their immediate control.

The various boards of examination presided over by Surgeon Coolidge, medical inspector, U. S. Army; Col. A. G. Brackett, Ninth Illinois Cavalry; Capt. J. C. Peterson, Fifteenth U. S. Infantry; Capt. M. Cogswell, Eighth U. S. Infantry, and Surg. G. L. Sutton, U. S. Volunteers, have all performed their duties with great industry and fidelity to the whole interests of the service.

Respectfully submitted.

RICHARD HENRY RUSH,
Colonel, Invalid Corps, Asst. to the Prov. Mar. General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., November 6, 1863.

Brig. Gen. JOHN L. HODSDON,
Adjutant-General of Maine, Augusta:

GENERAL: I have the honor to inclose herewith a revised statement of troops furnished by the State of Maine. This in answer to your statement of September 16, left by you at this office.

The State has been credited with the 361 recruits furnished in 1861, of which you have descriptive lists. Our records show but 98. Please, therefore, let the U. S. mustering officer examine your records, and forward to this office a certificate of the difference, 263. Our records on that point will then agree. Under the revised statement the State has received an additional credit of 2,712 three-years' men.

The Department cannot credit for the 478 men mustered in at New Orleans, since under our rules they have been credited to the State of Louisiana.

I have the honor to remain, general, very respectfully, your obedient servant,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

*Revised statement showing the number of troops furnished from the State of Maine on all calls up to May 26, compiled from muster-in rolls and records on file in the Adjutant-General's Office, Washington, D. C.**

RECAPITULATION.

Under call 1861, three-years:	
14 regiments of infantry, with recruits	15,718
1 regiment of cavalry	1,393
1 company of sharpshooters	101
6 batteries of artillery	947
Coast Guards (artillery)	122
Unassigned recruits	98
	18,379
Under call 1862, three-years:	
5 regiments of infantry, with recruits to May 26, 1863	5,096
Add 263, the difference between 361 unassigned recruits (as claimed by State) and 98 (the number credited as per rolls by the United States)	263
Total (three-years)	23,738
Nine-months' men, same as in statement of May 26, save that the company of nine-months' sharpshooters has been deducted, 7,585—100	7,485

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
November 4, 1863.

WAR DEPARTMENT,
Washington, November 6, 1863.

Major-General SCHOFIELD,
Saint Louis, Mo.:

The Secretary of War has sent you by mail regulations prepared for the enlistment of colored troops in Maryland. He will telegraph

*Statement in detail omitted in view of recapitulation following.

some modifications, and he wishes you, on receipt of these regulations, to telegraph to him such suggestions and alterations as you may deem proper, to suit them to the peculiar condition of your department. Re-enforcements from Steele to Hurlbut should be hurried forward with all possible dispatch. Our lines in West Tennessee have been left too weak.*

H. W. HALLECK,
General-in-Chief.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., November 6, 1863.

Maj. A. S. DIVEN,
Actg. Asst. Provost-Marshal-General, Elmira, N. Y.:

MAJOR: I am directed by the Provost-Marshal-General to inclose herewith a copy of a letter to Brig. Gen. R. A. Peirce, assistant quartermaster-general of Massachusetts, of October 26, 1863.† The principles contained in this letter will govern this Bureau so far as they may be applicable to your State. Should the Governor desire to recommend recruiting agents under this scheme the Provost-Marshal-General directs that his wishes be consulted.

I am, major, very respectfully, your obedient servant,
HENRY STONE,
Assistant Adjutant-General.

(Similar letter sent November 7 to Lieutenant-Colonel Bomford and Major Gilbert, Pennsylvania; Lieutenant-Colonel Buchanan, New Jersey; Major Jeffries, Maryland; November 9 to Colonel Baker, Indiana; November 11 to Lieutenant-Colonel Hill, Michigan; Lieutenant-Colonel Lovell, Wisconsin; November 12 to Lieutenant-Colonel Darr, West Virginia; November 16 to Major Duncan, Iowa; Colonel Alexander, Missouri.)

PROV. MARSHAL'S OFFICE, TENTH DISTRICT OF PA.,
Pottsville, November 7, 1863.

Col. JAMES B. FRY,
Prov. Mar. Gen. United States, Washington, D. C.:

DEAR SIR: The little town of Audenried is a mining post town in Carbon County, Eleventh Congressional District of Pennsylvania. Yorktown is the place of a colliery on the New York and Lehigh Coal Company's estate, in sight and perhaps only a quarter of a mile east of Audenried, and also in Carbon County. Hazleton is a considerable post town some five miles off to the northeast, in Carbon County, from Audenried.

Jeansville is a large mining post town, about a mile northeast of Audenried, in Luzerne County, in the Twelfth Congressional District of Pennsylvania. Frenchtown, or, as it is sometimes called, New Pottsville, and sometimes New Perigneux, is the place of an old colliery in sight and about a quarter of a mile north of Audenried, in Luzerne County.

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*See Schofield to Halleck, November 5, Series I, Vol. XXII, Part II, p. 696, and foot-note to same.

†See p. 928.

Honey Brook is the place of two collieries, about half a mile distant and west of south from Audenried, and is in Schuylkill County, in the Tenth Congressional District of Pennsylvania.

Audenried, Yorktown, Frenchtown, and Honey Brook being, as it were, out of the world, are notoriously the receptacles of the worst classes of mining and laboring men.

Some of my officers serving notices on drafted men in Blythe and Schuylkill Townships, lying east of Honey Brook, had been driven off, and a similar treatment was threatened at Honey Brook. After having properly learned the residences of all the drafted men in Honey Brook, I dispatched a force of fifty cavalry, with my deputy, Uriah Gane, on Monday morning, the 20th of October, to protect and aid the officer in leaving notices. The expedition was very successful. The notices were served on all the drafted men there, and also on those in Schuylkill and Blythe Townships, and likewise in Mahanoy, which is another mining township. The men then notified have pretty near all reported here.

While the cavalry were in Honey Brook they were invited by Mr. George K. Smith, the coal mining tenant, over to his house in Yorktown and were entertained very handsomely by him there. Toward the close of that week Mr. Smith wrote a letter to Deputy Gane, in which he told him that the population there and thereabouts was very indignant at him for having fêted the cavalry as he had done, and also that he was suspected and charged with having pointed out the drafted men about there to the notifying officers, and that his life had been threatened. I regret that Gane has mislaid or lost this letter, because I desired to quote from it Mr. Smith's language to you. Mr. Smith was a man of considerable education and skill as a civil and mining engineer; a man of force wherever he lived, and truly loyal and free spoken.

I received yesterday from Audenried the following letter, dated yesterday, from a reliable Union man to me:

C. TOWER, Esq.:

DEAR SIR: The reign of terror has now commenced in earnest up here. Yesterday a party of men came from Hazleton and notified us to stop work immediately, otherwise the breakers would either be "pulled or burned down." They said the war had gone on long enough, and that they were determined to put a stop to it.

Last night about 8 o'clock two men went to George K. Smith's door and inquired for Smith. One gave his name Evan Jones, and said he had a letter from Mauch Chunk that he must deliver personally. Mrs. Smith told the men that her husband was in bed sick, and if they would give it to her she would take the letter up to him. One of the men said he would give it to her, but instead of giving her a letter he pulled out of his pocket a revolver and a shot was fired into the house. The clerk came into the room to see what was the matter, when four shots were fired at him, one taking effect in his thigh. Smith hearing the disturbance down stairs, got out of bed and came down in his night clothes, when he immediately received a ball through his head, killing him instantly. They afterward fired several shots into him after he was fallen. This deed was done by men living in our own neighborhood, but not identified. There was between twenty and thirty of them.

And now, either one of two things must be done. If the Government will not protect us and the property, especially on the Honey Brook estate, and make a clean sweep of the copperheads, then we must leave, and that soon. No one is safe, and we do not know who will be the next victim. The few Union men up here have to stand guard about our houses all night.

While I have been writing this I have received another letter, dated to-day, from the same gentleman, in which he says: "We got fifty infantry soldiers up from Beaver Meadows"—which is a considerable

town some six miles off, in Carbon County—"yesterday afternoon. One of the soldiers got badly beaten last night by eight Irishmen; one of the Irishmen was shot. Yesterday six English and Welsh miners had to clear away from Honey Brook and Audenried, and more are going away to-day. We are expecting some cavalry."

Yesterday afternoon Decatur E. Nice, of this place, in talking with a gentleman in this town about Smith having been killed, said to him, "That is only the beginning of what we shall see here. There will be a complete revolution through this country before we are done with it," or "before it is through with." Mr. Nice is the brother-in-law of Francis W. Hughes, a bitter opponent of the Government and the war, and generally looked upon as the indicator and exponent of disunion sentiments and purposes here. Hughes is a man not unknown to you. The man who early desired that Pennsylvania should secede from the Union and join herself with the South, and who only at the close of July last declared, "That he did not want to furnish the army with soldiers; he was conscientiously opposed to the war and would not furnish the means to carry it on."

The demonstration at Audenried, which contains the killing of Smith, the wounding of his clerk, and the attempt to kill his wife, is not a murder—it is rebellion—and in my judgment ought to be treated as such.

I suggest that the flag of the United States should be raised at once on the house of Smith, and a sufficient force be quartered there to keep it flying and overawe all the rebels in and about that hiding place of the three counties.

I address myself to you upon this subject because I feel assured that you will be alive to it, and because I believe you will, at least, put my communication in such a channel that it will arrest attention and prompt somebody to check the rebellion and give such protection to Union men as they desire.

Very respectfully, yours,

C. TOWER,

Captain and Provost-Marshal, Tenth Dist. of Pennsylvania.

FAYETTEVILLE, TENN., *November 8, 1863.*

Colonel FRY,

Provost-Marshal-General:

DEAR COLONEL: I arrived here to-day and have occasion to send over to the Nashville railroad to-morrow. I avail myself of this chance to send you a copy of an order made at Iuka in passing, applicable to the Department of the Tennessee.* I wish to explain to you some of the reasons for making this order, and I am anxious to be sustained. Memphis, Vicksburg, and all the towns occupied by our troops are thronged by a class of young healthy men who have avoided the draft, and who have followed the army partly for this purpose and partly to make money by the trade regulations, gambling, &c. They are a nuisance, and were the source of trouble to General Grant and all commanders. This order may be a stretch of power, but it is in the right direction and is just.

General Hurlbut at Memphis assured me in person it would enable him at short notice to man all his batteries and have his organized forces for action outside his forts.

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*See Series I, Vol. XXXI, Part I, p. 767.

The same will be the case at Vicksburg, Corinth, and other places, and it brings under salutary military control a class of men who were practically exempt from military service. I also believe the order to be lawful, and if you will back me I will see that it is rigidly enforced when the interests of the United States call for it.

I am, &c.,

W. T. SHERMAN,
Major-General.

[NOVEMBER 9, 1863.—For Circular No. 100, Provost-Marshal-General's Office, amending paragraph 85, of the Regulations of the Bureau, see appendix to Fry's report of November 17, p. 1071.]

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., November 9, 1863.

His Excellency WILLIAM CANNON,
Governor of Delaware, Dover, Del.:

SIR: I have the honor to inform you that Delaware's quota of the 300,000 volunteers called for by the President's proclamation of the 17th ultimo is 1,156.

This quota is the proportion of 300,000 men which Delaware should furnish, according to the number of men of the first class enrolled in that State, and without any regard to the quota assigned her for the present draft or the number of men obtained under that draft, and without regard to any deficiency she may have had under the calls for volunteers previous to the assignment of quotas for the present draft. The quota of Delaware for the present draft was 1,636. Up to the 17th ultimo the number obtained on this quota was 676, leaving on present draft, as made up to the 17th ultimo, a deficiency of 960. On all calls previous to the present draft the deficiency of Delaware was 473. Total deficiency, 1,433. The total quota, therefore, of Delaware for the next draft (in case another is rendered necessary by a failure to raise volunteers), as it appears from records up to the 17th ultimo, would be 1,156, the quota of 300,000 herein assigned and the deficiencies up to the date specified—that is, 1,433; total quota, 2,589. But this total deficiency (1,433) will, of course, be reduced by all held to service under the present draft after the 17th ultimo, and by all volunteers not heretofore credited, as well as by all the State may raise in excess of 1,156, her quota of 300,000 as called for by the President's proclamation.

If your excellency thinks best to subdivide the quota herein assigned to the Congressional district, and allot proportional parts to smaller subdivisions of your State, I would suggest that for harmonizing the subject of credits in drafts hereafter you regard the enrollment of the first class made by this Bureau as the basis of assignment. The provost-marshal-general of your State, and also the provost-marshal of Delaware, will give you all the aid in their power in this and all other matters connected with raising troops.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

These facts in reference to the present draft were merely given for your information, and not as a charge of deficiency against your State.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
Detroit, November 9, 1863.

Colonel JAMES B. FRY,
Provost-Marshal-General:

COLONEL: There have a good many rumors reached my ears recently in relation to projected movements from Canada by rebel refugees now there. These rumors have generally looked to an occupation, for a time, of the northern lakes, the release of prisoners at Johnson's Island and Chicago, and the seizure of the U. S. steamer Michigan, and have generally been so wild that I have not attached any importance to them. In the last few days disclosures have been made to myself and Colonel Smith that I place some reliance on. A rebel agent has just arrived at Windsor with certificates of specie deposit in places in the rebel States amounting to over $100,000. These certificates are signed by Mr. Memminger and are drawn in favor of Henry Marvin. This agent also bears a recommendatory letter from Mr. Benjamin in favor of W. M. Marvin.

These certificates, I am told, can be readily negotiated at Windsor, and are of a similar character to those negotiated in Europe. A further supply is soon expected, and all the information I obtain relates to steamers to be purchased at Montreal, for which these funds are transmitted to Canada.

There are about 2,000 rebel refugees, escaped prisoners and active rebel sympathizers, in Canada.

John M. Jones, formerly an assistant adjutant-general in our service, has just arrived in Toronto, I am told, and there are said to be several rebel naval officers in Canada.

That some project of magnitude is in contemplation I feel very certain, and I have communicated with the U. S. consul-general at Montreal.

Since writing the above I am informed that nearly all of the rebel refugees have left for Montreal, and the information points more positively to Johnson's Island. I have furnished Colonel Smith, military commander, with an officer to proceed to-night to Johnson's Island and explain more fully the information that is received.

Very respectfully, your obedient servant,

B. H. HILL,
Lieut. Col. Fifth Artillery, Actg. Asst. Prov. Mar. Gen.

MAUCH CHUNK, PA., *November 9, 1863.*

Hon. ABRAHAM LINCOLN,
President of the United States:

SIR: It is perhaps proper that you should fully understand the condition of society about the coal mines in the Lehigh region. At the risk of trespassing upon your time I will undertake the explanation.

Since the commencement of the draft a large majority of the coal operatives have been law-defying, opposing the National Government in every possible way, and making unsafe the lives and property of Union men.

They are so numerous that they have the whole community in terror of them. They dictate the prices for their work, and if their employers don't accede they destroy and burn coal breakers, houses, and prevent those disposed from working. They resist the draft, and are organized into societies for this purpose. The life of no Union

man is secure among them, and the murder of such a citizen is almost a nightly occurrence.

The civil authorities make no effort to arrest this state of things. They say they are powerless and that to attempt the arrest and punishment of these traitors and miscreants, without having the ability to do it successfully and effectually, would only add fuel to the flames. Besides all this our "civil authorities" here seem to have too much sympathy for these very men, and they know it and are not slow to take advantage of it. They have closed up several large collieries and threaten that all must suspend work until the National Government suspends the operations of the draft against them. These men are mostly Irish and call themselves "Buckshots."

They have caused the high price of coal more than any other thing. Many of them with the work they do make from one hundred to two hundred dollars per month.

Committees of these men have waited upon operators and have told them that they must stop work; that they intend to end the war by cutting off the supply of coal and thus embarrass the Government and create coal riots in the large cities. This is a part of the rebel programme. If they can have their own way a few weeks longer they will work serious mischief, set afoot a most damaging fire in the rear, and very successfully "embarrass" the Government.

The question becomes a serious one, and the remedy to be applied should be immediate. What is to be done?

A military force of several thousand men should be sent to the coal regions, martial law declared, and summary justice dealt out to these traitors. Protection should be afforded to those willing to work, and those who will not work should be sent to work on military fortifications during the continuance of the war. It will not be safe to have them about. Nothing but thorough work will answer.

As the case now stands the national laws and authorities are defied and powerless. The Government, as in the case of New York, must take hold of this matter; the same element is at work here, while the injury to be inflicted may be as serious. I most earnestly beg of you to give the subject your careful thought. I understand a committee of coal men will call upon you and make a more full explanation of the whole matter.

I have the honor to be, very truly, your obedient servant,

CHAS. ALBRIGHT.

WAR DEPARTMENT,
Washington City, November 9, 1863.

Maj. Gen. JOHN M. SCHOFIELD,
Saint Louis, Mo.:

I send you by mail a general order in regard to the recruiting of colored troops in the States of Maryland, Missouri, Tennessee, and Delaware.* These regulations were adopted particularly in reference to the condition of things in the State of Maryland. Some modifications may be deemed by you essential in the State of Missouri. If so, you will please suggest such changes as you desire, or submit for the approval of the Department a general order upon the subject, which you think applicable to the circumstances in which you are placed.

*See General Orders, No. 329, October 3, p. 860.

It is the desire of the Government to render the recruiting of those troops as efficient as it can possibly be made. Anything that may occur to you as tending to that object will be favorably considered.

EDWIN M. STANTON,
Secretary of War.

Exhibit of additional credits, State of Connecticut, since statement of May 14 and up to November 4, 1863.

For new regiments (three-years)	14
For old regiments (three-years)	156
Total	170

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
November 10, 1863.

Exhibit of additional credits, State of Delaware, since statement of date June 30 up to November 4, 1863.

For old regiments (three-years)	13
For new regiments (three-years)	245
Total	258

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
November 10, 1863.

Exhibit of additional credits, State of Maine, up to October 31, 1863.

Prior to May 26, and not included in that statement (three-years' men)	2,712
From May 26 to October 31, for old regiments (three-years' men)	204
Total	2,916

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
November 10, 1863.

Exhibit of additional credits, State of Maryland, since statement dated June 30 up to September 30, 1863.

For new regiments (three-years)	772
For old regiments (three-years)	161
Total	933
For six-months, 2,276=three-years	379
Total three-years and six-months (three-years' standard)	1,312

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
November 10, 1863.

Exhibit of additional credits, State of Massachusetts, prior to May 19 and not included in statement of that date, as per exhibit dated—

August 20	4,169
From August 20 to October 31:	
For new regiments (three-years)	116
For old regiments (three-years)	892
Total	5,177

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
November 10, 1863.

Exhibit of additional credits, State of New Hampshire, since statement of May 26 and up to October 31, 1863.

For new regiments (three-years)	268
For old regiments (three-years)	21
Total	289

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
November 10, 1863.

Exhibit of additional credits, State of New Jersey, since statement dated May 19 up to November 4, 1863.

For old regiments (three-years)	708
For new regiments (three-years)	4,330
Total	5,038

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
November 10, 1863.

Exhibit of additional credits, State of Pennsylvania, since statement of June 5 up to October 31, 1863.

For old regiments (three-years)	679
For new regiments (three-years)	1,369
Colored troops	791
Total	2,839
Six-months, 3,176=three-years	529
Total three-years and six-months (three-years' standard)	3,368

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
November 10, 1863.

Exhibit of additional credits, State of Vermont, since supplementary exhibit of date August 26 up to October 31, 1863.

For new regiments (three-years)..... 191

NOTE.—Supplementary statement of August 26* balanced the account between the State and the United States. By it 614 men in addition to number in statement of May 14 were passed to credit of State.

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
November 10, 1863.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., November 10, 1863.

Maj. J. W. T. GARDINER, U. S. Army,
Actg. Asst. Prov. Mar. Gen. for Maine, Augusta, Me.:

MAJOR: In filling the quota of volunteers called for by the President's proclamation of October 17, 1863, it is the desire of this Bureau that Governors of States from which troops are required shall take the leading part in the work. Should any modification of the plan already adopted for the recruiting service be deemed advisable or be suggested by the Governor, you will please communicate with this office as speedily as possible, stating the nature and reasons of such modification. You will also co-operate fully with the State authorities in carrying out whatever measures they may consider advisable to secure the filling of their quota. If the Governor desires recruiting details from the old organizations, please ask him to make definite application at once, that the necessary orders may issue. You will please show this to His Excellency the Governor.

I am, major, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

(Similar letter sent to Brigadier-General Hinks, New Hampshire; Brigadier-General Pitcher, Vermont; Major Clarke, Massachusetts; Brigadier-General Hays and Major Diven, New York; Lieutenant-Colonel Buchanan, New Jersey; Lieutenant-Colonel Bomford and Major Gilbert, Pennsylvania; Major Jeffries, Maryland; Lieutenant-Colonel Darr, West Virginia; Colonel Baker, Indiana; Colonel Alexander, Missouri; Major Hill, Michigan; Major Duncan, Iowa; Lieutenant-Colonel Lovell, Wisconsin; Captain Clarke, Kansas; Brevet Major Lugenbeel, Oregon.)

CINCINNATI, *November 10, 1863.*

Col. W. HOFFMAN:

Two days ago I received dispatch from Colonel Smith, commanding at Detroit, saying he had definite information of the fitting out of a rebel steamer at Montreal to attack Johnson's Island and release the rebel prisoners. I informed Colonel Pierson and telegraphed Mr. Giddings, consul-general at Montreal, asking him to investigate. To-day I got another dispatch from Colonel Smith saying he is positively informed the attack by two armed steamers will be made in

*See p. 725.

forty-eight hours. The report is very improbable, but on Colonel Smith's dispatch I have ordered a detachment of infantry and a six-gun rifled battery to the island to-day. The U. S. steamer Michigan is somewhere in Lake Erie. Cannot the Navy Department send her to the assistance of Colonel Pierson?*

J. D. COX,
Brigadier-General, Commanding District of Ohio.

WAR DEPARTMENT,
Washington, D. C., November 11, 1863.

GOVERNOR OF PENNSYLVANIA,
Harrisburg:

The British minister, Lord Lyons, has to-night officially notified the Government that, from telegraphic information received from the Governor-General of Canada, there is reason to believe that a plot is on foot by persons hostile to the United States, who have found an asylum in Canada, to invade the United States and destroy the city of Buffalo; that they propose to take possession of some of the steamboats on Lake Erie, to surprise Johnson's Island, and set free the prisoners of war confined there, and to proceed with them to attack Buffalo. The Government will employ all the means in its power to suppress this plot, but it is deemed proper to communicate to you the information received from the British minister, in order that you may co-operate with the General Government in protecting the territory of the United States from invasion by the rebels and their aiders and abettors who have found refuge in Canada.

EDWIN M. STANTON,
Secretary of War.

(Copy to Governors of Ohio, Columbus; Indiana, Indianpolis; Illinois, Springfield; Michigan, Detroit; New York, Albany.)

WAR DEPARTMENT,
Washington, D. C., November 11, 1863.

MAYOR OF BUFFALO, N. Y.:

The British minister, Lord Lyons, has to-night officially notified the Government that, from telegraphic information received from the Governor-General of Canada, there is reason to believe that a plot is on foot by persons hostile to the United States, who have found an asylum in Canada, to invade the United States and destroy the city of Buffalo; that they propose to take possession of some of the steamboats on Lake Erie, to surprise Johnson's Island, and set free the prisoners of war confined there, and to proceed with them to attack Buffalo. This Government will employ all the means in its power to suppress any hostile attack from Canada, but as other towns and cities on the shores of the lakes are exposed to the same danger, it is deemed proper to communicate this information to you in order that any precautions which the circumstances of the case permit may be taken. The Governor-General suggests that steam-boats should be

*In connection with this subject see also Pierson to Hoffman, November 9, 1863, Series II, Vol. VI, p. 491.

watched, and that any steam-boat or other vessel giving cause for suspicion by the numbers or character of the persons on board shall be arrested. You will please acknowledge the receipt of this telegram, and communicate to this Department any information you may now or hereafter have on this subject.

EDWIN M. STANTON,
Secretary of War.

(Copy to mayors of Erie, Pa.; Cleveland, Ohio; Toledo, Ohio; Detroit, Mich.; Milwaukee, Wis.; Chicago, Ill.; Ogdensburg, N. Y.; Oswego, N. Y.; Lewiston, N. Y.; Rochester, N. Y.)

WAR DEPARTMENT,
Washington, D. C., November 11, 1863.

Maj. Gen. JOHN A. DIX,
Commanding at New York:

The British minister, Lord Lyons, has to-night officially notified the Government that, from telegraphic information received from the Governor-General of Canada, there is reason to believe that a plot is on foot by persons hostile to the United States, who have found an asylum in Canada, to invade the United States and destroy the city of Buffalo; that they propose to take possession of some of the steam-boats on Lake Erie, to surprise Johnson's Island, and set free the prisoners of war confined there, and to proceed with them to attack Buffalo. The city threatened being in your department, the information received from the British minister is communicated immediately to you with directions to employ without delay all the means at your command to guard against and repel any hostile attack by rebels and by their aiders and abettors from Canada. You are authorized to call upon the proper authorities, in case you should deem it expedient, for any volunteer force in the State of New York, and it is recommended that you proceed at once in person to the city of Buffalo, to adopt such means of defense and protection of the frontier as circumstances may require. The Governor-General of Canada suggests that steam-boats should be watched, and that any steam-boat or other vessel giving cause for suspicion by the numbers or character of the persons on board should be arrested. He also appears to have some suspicion connected with Ogdensburg, in regard to which place also you had better employ some precautions. You will acknowledge the receipt of this telegram, stating the hour at which it is received.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., November 11, 1863.

Hon. PRESTON KING,
Ogdensburg, N. Y.:

The British minister, Lord Lyons, has to-night officially notified the Government that, from telegraphic information received from the Governor-General of Canada, there is reason to believe that a plot is on foot by persons hostile to the United States, who have found an asylum in Canada, to invade the United States and destroy the city of Buffalo; that they propose to take possession of some of the steam-boats on

Lake Erie, to surprise Johnson's Island, and set free the prisoners of war confined there, and to proceed with them to attack Buffalo. Ogdensburg is also connected by the Governor-General in some way with this hostile movement of the rebels and their aiders and abettors. Please obtain what information you can on the subject and communicate it to this Department.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., November 11, 1863.

Major-General COX,
Commanding in Ohio, Columbus or Cincinnati:

The British minister, Lord Lyons, has to-night officially notified the Government that, from telegraphic information received from the Governor-General of Canada, there is reason to believe that a plot is on foot by persons hostile to the United States, who have found an asylum in Canada, to invade the United States and destroy the city of Buffalo; that they propose to take possession of some of the steamboats on Lake Erie, to surprise Johnson's Island, and set free the prisoners of war confined there, and to proceed with them to attack Buffalo. You will proceed immediately to Sandusky and take such measures for the security of the prisoners and the protection of the northern frontier of Ohio against invasion by rebels and their aiders and abettors from Canada as circumstances may require, reporting fully to this Department any information which you may have upon the subject. You are authorized to call upon the Governor of Ohio for any volunteer force that may be required, and to make requisition upon this Department for any ordnance, arms, or other supplies that may be necessary.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., November 11, 1863.

Major-General BROOKS,
Commanding, &c., Pittsburg, Pa.:

The British minister, Lord Lyons, has to-night officially notified the Government that, from telegraphic information received from the Governor-General of Canada, there is reason to believe that a plot is on foot by persons hostile to the United States, who have found an asylum in Canada, to invade the United States and destroy the city of Buffalo; that they propose to take possession of some of the steamboats on Lake Erie, to surprise Johnson's Island, and set free the prisoners of war confined there, and to proceed with them to attack Buffalo. You will proceed immediately to the city of Erie, Pa., with any military force you may have at your command, ascertain what information can be had there in reference to this subject, and report to this Department what means you deem necessary to protect the northern frontier of Pennsylvania from attack by the rebels or their aiders and abettors from Canada. You will acknowledge the receipt of this order, and the hour at which it is received, and report when you leave Pittsburg.

EDWIN M. STANTON,
Secretary of War.

ACTG. ASST. PROVOST-MARSHAL-GENERAL'S OFFICE,
WESTERN DIVISION, STATE OF NEW YORK,
Elmira, N. Y., November 11, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General:

COLONEL: I have the honor to inclose copy of arrangements made with the State authority for recruiting. The Governor of this State is satisfied with the arrangements made and does not now propose to avail himself of the proposition contained in your letter of November 4 transmitting proposition to Governor of Massachusetts. I am very glad of this, because I do not believe we can get a better arrangement than we have.

I desire to say, and, after all that has been said about Governor Seymour, I think it but due to him that I should, that I have found him earnestly co-operating with me in every effort to promote recruiting. I believe him sincerely anxious to promote the success of this effort, and I believe, further, that we can succeed in obtaining our quota, not of course by the 5th of January.

We want the law so amended that each town may be exempt on raising its quota; then we want a law of our State authorizing towns to subscribe for bounties, and with this, by April next, I have no doubt New York will have completed her quota. I want as soon as you possibly can that you comply with my letter of yesterday about letting recruiting agents take the enlistment and be furnished with transportation for enlisted men to headquarters of the provost-marshal. I wish, if you comply with this, you would telegraph me on receipt of this, as I am getting out a general poster and want to insert this.

I have the honor to be, your obedient servant,

A. S. DIVEN,
Acting Assistant Provost-Marshal-General.

[Inclosure.]

NOVEMBER 10, 1863.

Arrangements made by acting assistant provost-marshal-general Western Division, State of New York, with State authorities for recruiting and the payment of State bounties under last call for 300,000 men:

To all recruits, $75. Paid as follows: At date of enlistment, $10; on due muster in U. S. service and before leaving general rendezvous, $65.

To all who re-enlist who were in service of the United States in any of the first thirty-eight regiments (two-years) New York Volunteers on the 17th of April, 1863, will be paid $150. Paid as follows: At date of enlistment, $30; on due muster in U. S. service and before leaving general rendezvous, $120.

One copy enlistment paper and one copy muster and descriptive roll to be furnished paymaster-general State of New York, and the same to adjutant-general State of New York.

The paymaster-general State of New York is directed to pay these bounties upon certificate of the surgeon of the Board of Enrollment of the several Congressional districts.

Payment of bounties will be made at general rendezvous.

STATE OF PENNSYLVANIA,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Harrisburg, November 11, 1863.

Col. JAMES B. FRY, U. S. Army,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to acknowledge the receipt of your telegram inquiring what steps have been taken by the Governor and myself toward the new system of recruiting, and in reply present the following as the principal steps taken to further the interests and desires of the Government in attaining its object:

Nominations for recruiting agents have been required from the district provost-marshals, and forwarded as fast as they were received to the Governor for his approval, as instructed by a letter from your office. Some of these nominations are still in the hands of the Governor, who has not yet acted upon them. Nominations from the Thirteenth and Fourteenth Districts have not yet been made, as the boards of enrollment are still busily engaged with matters pertaining to the draft. Nominations from Sixteenth, Nineteenth, Twenty-second, Twenty-third, and Twenty-fourth Districts having been confirmed by the Provost-Marshal-General were returned to the provost-marshals of their districts.

Posters have been printed and furnished the district provost-marshals at the rate of 100 for their own use and 100 for the use of their recruiting agents.

Requisitions for blanks (enlistments, muster, and descriptive rolls) have been forwarded to the Adjutant-General of the Army; for the want of these blanks no active measures in enlisting have been taken.

Instructions relating to the matters of recruiting have been given to the provost-marshals by circulars and letters, and general questions made by provost-marshals have been referred to the Provost-Marshal-General for decision.

Complete lists of all the regiments whose term of service expire in 1864 and 1865 made out by the State officers, and by me furnished to the district provost-marshals.

The quotas, as assigned to each district by your letter to His Excellency Governor A. G. Curtin, communicated to the district provost-marshals.

A draft for dividing the districts of the State under my charge into sub-districts of boroughs and townships, and of cities into wards, made out and forwarded to provost-marshals for purposes explained to you in a letter of this date.

I am, colonel, very respectfully, your obedient servant,
J. V. BOMFORD,
Lt. Col. 16th U. S. Infantry, Actg. Asst. Prov. Mar. Gen.

Exhibit of troops furnished for three years by the Territories of the United States, as far as records now on file can furnish.

Territory.	Arm of service.		
	Infantry.	Cavalry.	Artillery.
Oregon	.....	577	.....
Washington	885	.....	.....
Dakota	.....	186	.....
Nebraska	960	1,246	.....
Colorado *a*	1,318	1,110	.....
Nevada	.....	184	.....
New Mexico *b*	.....	1,865	.....

a First Regiment of Infantry reorganized as cavalry.
b First Regiment of Infantry, reorganized as cavalry, includes 911 for six-months' service. New Mexico: 954 three-years=954; 911 six-months=152 three-years; total three-years, 1,106.

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
November 11, 1863.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., November 12, 1863.

Maj. L. H. PELOUZE,
Assistant Adjutant-General:

SIR: I am directed to communicate to you a statement showing the quotas of the several States under the call for 300,000 volunteers, President's proclamation of 17th ultimo, as follows:

Maine, 7,574; New Hampshire, 3,767; Vermont, 3,328; Massachusetts, 15,125; Rhode Island, 2,035; Connecticut, 5,431; New York, 60,333; New Jersey, 9,440; Pennsylvania, 38,709; Delaware, 1,154; Maryland (approximate), 9,438; West Virginia (assumed), 4,265; Ohio, 29,352; Indiana (quota as reduced by excess of troops furnished on former calls), 17,328; Illinois (quota as reduced by excess of troops furnished on former calls), 19,771; Michigan, 11,296; Wisconsin, 10,475; Minnesota, 2,938; Missouri (approximate), 13,516; Kentucky (approximate), 11,747; Kansas, 1,659; District of Columbia, 2,748. Pacific States, &c., omitted.

Very respectfully, your obedient servant,
HENRY E. MAYNADIER,
Captain, U. S. Army, in Charge of Enrollment Bureau.

SPRINGFIELD, ILL., *November 12, 1863.*

Hon. E. M. STANTON:

Shall I send what force I can to Buffalo?

RICHD. YATES.

CHICAGO, ILL., *November 12, 1863.*

EDWIN M. STANTON:

Your dispatch of yesterday was received to-day. Our resources, such as they are, entirely at your disposal, if necessary. Send officers with capacity for organization. We have men enough. The city has

six brass 6-pounders (weight about 900 pounds), smooth, from Chicopee Works, and 800 stand of Springfield rifles, not interchangeable, but no cartridges or shot. Private parties have small steam tow-boats, which are strong; also fast-sailing vessels that could be armed and used in an emergency. Will have steam-boats watched and take all the precautions possible. Will communicate promptly any information. Will arrest any suspicious vessels and hold for examination, and act generally as circumstances may seem to require, but with due caution, expecting to be sustained by the Government.

F. C. SHERMAN,
Mayor.

DETROIT, *November 12, 1863.*

Hon. E. M. STANTON:

Not a single gun larger than a 32-pounder on the lakes, and only four of them. They are at Erie, without powder. Send heavy guns from Pittsburg instantly.

Z. CHANDLER.

DETROIT, *November 12, 1863.*

Hon. E. M. STANTON:

Our fastest steamer will be sent to Cleveland. Send four guns of heavy caliber, with ammunition, to Cleveland. Answer.

Z. CHANDLER.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, November 12, 1863.

HIS EXCELLENCY THE GOVERNOR OF MISSOURI,
Saint Louis, Mo.:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include October 7, 1863, the date of the exhibit.

I am, sir, very respectfully, your obedient servant,
THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:	
Quota under calls of 1861	31,544
Quota under call July 2, 1862	17,269
Excess	7,208
	56,021
Furnished:	
Under calls of 1861—	
20 regiments of infantry	12,727
2 regiments of U. S. Reserve Corps	1,879
1st U. S. Reserve Corps Battalion	505
Benton Cadets	442
3 companies Mississippi Marine Brigade	153
1 regiment engineers	256
2 regiments of artillery	2,582
2 batteries of artillery	231

Furnished—Continued.	
Under calls of 1861—Continued.	
7 regiments of cavalry	6,742
Irish Dragoons	482
Stewart's battalion of cavalry	316
1 company of mounted rifles	100
Recruits for all arms for 1861 and 1862	4,934
Under call of July 2, 1862—	
9 regiments of infantry	7,771
Mississippi Marine Brigade (1st Infantry)	806
2 battalions Missouri State Militia	871
1 regiment Missouri State Militia	869
Lawrence County Missouri State Militia	397
10 regiments of cavalry Missouri State Militia	10,956
1 battery of artillery Missouri State Militia	91
2 regiments of cavalry	2,089
1 battalion of cavalry, Mississippi Marine Brigade	407
Cass County Home Guard	425
	56,021

SIX-MONTHS.

Furnished:	
27th Missouri Volunteers	1,108
Phelps' Regiment	794
11th Missouri Volunteers	813
	2,715
Polk County Home Guard for twelve-months	199

NINE-MONTHS.

Due quota under call for 300,000 militia	17,269
Furnished	None.
Deficiency	17,269

The above statement is made from the muster-in and muster for pay-rolls on file in this office.

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
October 7, 1863.

RECAPITULATION.

	Infantry.	Cavalry.	Artillery.	Total.
1861.				
2d Regiment	865			
3d Regiment	434			
4th Regiment	767			
5th Regiment	756			
6th Regiment	873			
7th Regiment	889			
8th Regiment	996			
9th Regiment	8			
10th Regiment	67			
11th Regiment	773			
12th Regiment	697			
13th Regiment	415			
14th Regiment	193			
15th Regiment	676			
17th Regiment	788			
18th Regiment	845			
19th Regiment	286			
23d Regiment	819			
24th Regiment	796			

RECAPITULATION—Continued.

	Infantry.	Cavalry.	Artillery.	Total.
1861.				
25th Regiment	844			
1st U. S. Reserve Corps	998			
2d U. S. Reserve Corps	881			
1st U. S. Reserve Corps (Battalion)	505			
Benton Cadets	442			
3 companies Mississippi Marine Brigade	153			
1 regiment engineers	256			15,962
1st Regiment		978		
2d Regiment		755		
3d Regiment		1,214		
4th Regiment		841		
5th Regiment		817		
6th Regiment		1,139		
7th Regiment		998		6,742
Irish Dragoons		482		482
Stewart's battalion		316		316
1 company mounted rifles		100		100
1st Regiment			1,093	
2d Regiment			1,489	
Landgraeber's battery			104	
Von Pfennighausen's battery			127	2,813
1862.				
21st Regiment	950			
26th Regiment	885			
27th Regiment	794			
29th Regiment	845			
30th Regiment	862			
31st Regiment	872			
32d Regiment	863			
33d Regiment	861			
35th Regiment	839			
Mississippi Marine Brigade (1st Infantry)	806			
1 regiment Missouri State Militia	869			
1st Battalion Missouri State Militia	343			
2d Battalion Missouri State Militia	528			
Lawrence County Missouri State Militia	397			10,714
Cass County Home Guard				425
1st Regiment Cavalry Missouri State Militia		1,067		
2d Regiment Cavalry Missouri State Militia		1,019		
3d Regiment Cavalry Missouri State Militia		1,064		
4th Regiment Cavalry Missouri State Militia		1,234		
5th Regiment Cavalry Missouri State Militia		1,305		
6th Regiment Cavalry Missouri State Militia		1,139		
7th Regiment Cavalry Missouri State Militia		1,200		
8th Regiment Cavalry Missouri State Militia		1,314		
9th Regiment Cavalry Missouri State Militia		820		
5th Regiment Cavalry Missouri State Militia		794		10,956
8th Regiment Cavalry Missouri State Militia*		990		
9th Regiment Cavalry Missouri State Militia*		1,099		2,089
1 battalion cavalry, Mississippi Marine Brigade		407		407
1 battery artillery, Missouri State Militia			91	91
Total				51,097

SAINT LOUIS, MO., *November 12, 1863.*

Hon. E. M. STANTON:

I respectfully suggest the following modifications of the instructions for recruiting colored troops, viz: That enlistments be made at once, without requiring consent of owners, and that the recruiting be done by the provost-marshals of my department, acting under my orders, the recruits to be turned over to the proper officers of the Bureau for Colored Troops in Saint Louis. These modifications will expedite the recruiting of colored troops, save expenses, and in general promote the interests of the Government. If these suggestions meet with your approval, I can publish the modified regulation and

**Sic.* Reference probably to Eighth and Ninth Volunteers.

commence work at once, or send a draft of the order as modified to you for your action, as you may direct.

J. M. SCHOFIELD,
Major-General.

SAINT LOUIS, MO., *November 12, 1863.*

Hon. E. M. STANTON:

I respectfully suggest the following additional modifications of the regulations for enlistment of colored troops, viz: That no compensation be paid for the services of any slave who has at any time since the beginning of the rebellion belonged to a person who has been in or given aid to the rebellion. This is necessary to prevent persons who can prove their loyalty from buying the slaves of rebels and selling them to the Government.

J. M. SCHOFIELD,
Major-General.

NEW YORK CITY, *November 12, 1863—11 a. m.*

Hon. EDWIN M. STANTON,
Secretary of War:

Your dispatch was received at twenty minutes past nine this morning.*

JNO. A. DIX,
Major-General.

NEW YORK, *November 12, 1863.*

Hon. E. M. STANTON:

I leave for Buffalo this evening or early to-morrow morning, and send Colonel Ludlow to Ogdensburg. Can General Canby remain here till my return—not beyond Tuesday next?

JOHN A. DIX,
Major-General.

OGDENSBURG, N. Y., *November 12, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

Your telegram is received and the subject shall have immediate attention. It is well to take proper precaution, though we do not apprehend danger.

D. C. JUDSON,
President of Village.
PRESTON KING.

BUFFALO, *November 12, 1863.*

Hon. E. M. STANTON,
Secretary of War:

Your dispatch is received. I have telegraphed the Governor to give the necessary instructions to the military here, and shall take all possible precautionary measures. There are no indications of

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*See November 11, p. 1014.

difficulty here. It is suggested to send discreet men to the frontier Canadian towns to watch movements. Would you advise this? Be pleased to send me any additional information you may have.

WM. G. FARGO,
Mayor.

WAR DEPARTMENT,
Washington City, November 12, 1863.

Hon. WILLIAM G. FARGO,
Mayor of Buffalo:

Major-General Dix, commanding general of the department, has been ordered to take such measures as he deems essential for the protection of the frontier and to proceed to Buffalo. You will please confer with him. Any further information will be communicated to you, but the efficient, vigilant precaution may prevent any hostile act.

EDWIN M. STANTON.

OSWEGO, *November 12, 1863.*

Hon. E. M. STANTON,
Secretary of War:

Communication received. Will communicate the material facts to the commandant of the fort. Have every precautionary measure taken that can be. Apparently everything is quiet. Will give any aid and communicate any important information attained.

LA G. B. GRANT,
Mayor.

CINCINNATI, *November 12, 1863.*

Hon E. M. STANTON:

Your telegram just received. I leave in an hour for Columbus to see Governor Tod, and thence to Sandusky. My dispatch to Colonel Hoffman, commissary of prisoners, shows what information we had day before yesterday.* I then sent a battery of rifled 10-pounders, and Governor Tod sent 500 newly-raised troops to Johnson's Island. I will arrange before leaving here for getting out the volunteer militia, transportation, &c., but will have to see Governor Tod before the order is issued. Will telegraph you on arriving at Columbus.

J. D. COX,
Brigadier-General, Commanding.

SANDUSKY, OHIO, *November 12, 1863—11.50 p. m.*

Hon. E. M. STANTON,
Secretary of War:

Have arrived here. Governor Tod will furnish two regiments of volunteer militia to-morrow, and with these and the battery of Parrotts on the way from Cincinnati to this place, the prison depot will be safe. Port Stanley, in Canada, is said to be the rebel rendezvous. Will report further in the morning.

J. D. COX,
Brigadier-General.

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*See November 10, p. 1012.

COLUMBUS, OHIO, *November 12, 1863.*

Hon. E. M. STANTON,
Secretary of War:

Your dispatch communicating Lord Lyons' message is received. I had on the 10th instant received information that an attack upon Johnson's Island was feared, and at once sent 500 troops from Camp Cleveland and a battery from Camp Dennison to re-enforce the command at Johnson's Island. This force, with the steamer Michigan, now at that point, will be sufficient to defend the island against any force that can be brought against it. We have at Cleveland, Toledo, and Sandusky a volunteer militia force, about 600 strong at each place, well armed. I have this moment given these commands notice to be in readiness to obey any call I may make. General Mason will go to Johnson's Island to-day.

DAVID TOD.

COLUMBUS, OHIO, *November 12, 1863.*

Hon. E. M. STANTON,
Secretary of War:

Nothing special from Johnson's Island this evening. I doubt not we have made every provision necessary for its safety. The guard on the island has been increased 500. General Mason went up this morning and General Cox this evening. I have called out a volunteer militia force of 2,000 to assemble at Sandusky, and have ordered the volunteer forces at Cleveland and Toledo to hold themselves in readiness to come out at a moment's warning.

DAVID TOD,
Governor.

COLUMBUS, OHIO, *November 12, 1863.*

Hon. E. M. STANTON,
Secretary of War:

I renew my application for authority to increase the battalion on guard duty at Johnson's Island to a full regiment. The present force is entirely inadequate.

DAVID TOD,
Governor.

COLUMBUS, OHIO, *November 12, 1863.*

Hon. E. M. STANTON:

We have at Cleveland and Toledo each a good company of State artillery force, but without guns. Is it possible for you to furnish them?

DAVID TOD,
Governor.

CLEVELAND, OHIO, *November 12, 1863.*

Hon. E. M. STANTON:

Your telegram duly received. Have taken the matter before the military committee here and we shall take prompt measures to pre-

vent any invasion of this city. I will keep you advised of any information that may come to my knowledge.

Yours, respectfully,

J. N. MASTERS,
Mayor.

TOLEDO, OHIO, *November 12, 1863—11.15 a. m.*

Hon. EDWIN M. STANTON,
Secretary of War:

Your dispatch is received. I will act promptly and efficiently in the matter referred to.

C. M. DORR,
Mayor.

PITTSBURG, *November 12, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

Your dispatch received at 8.35 this morning. I leave as soon as a train can be got ready. I will be able to have six or seven companies of departmental troops under orders at once.

W. T. H. BROOKS,
Major-General.

PITTSBURG, *November 12, 1863.*

Hon. E. M. STANTON,
Secretary of War:

I leave in a special at 12.40, the earliest hour it could be got ready. I find there is not a piece of rifled artillery in the arsenal. Will you not please order some 4½-inch guns to Erie?

W. T. H. BROOKS,
Major-General.

ERIE, PA., *November 12, 1863.*

Hon. E. M. STANTON,
Secretary of War:

I arrived here at 9 this evening. I will have one good company here by midnight. No news.

W. T. H. BROOKS,
Major-General.

HARRISBURG, PA., *November 12, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

The Governor is in Delaware to-day; will be in Washington to-night and will see you on the subject of your dispatch of this morning.

ELI SLIFER.

ERIE, PA., *November 12, 1863.*

Hon. E. M. STANTON:

Your communication is received. Vigilance shall be observed at this point and any developments communicated.

P. METCALF,
Mayor.

HEADQUARTERS DEPARTMENT OF THE NORTHWEST,
Milwaukee, Wis., November 12, 1863.

Hon. E. M. STANTON,
Secretary of War:

MY DEAR SIR: I transmit, inclosed, a letter to General Halleck, with inclosures, and address you this letter direct, in order that some immediate action be had in a matter more immediately under the charge of officers on duty in the War Department.

I understand a decision has been made (by whom I know not, but presume with your authority) that mustering and disbursing officers in the States are not in any respect under the control of the department commander. The manner in which such an arrangement works, and the inexhaustible sources of difficulty to which it gives rise, are doubtless not known to you.

The order assigning me to the command of this department placed under my command "all troops raising, or to be raised, within its limits." At the time I assumed command the Indian war was in progress, and I think there was not a single regiment in the State whose organization had been completed. I accordingly sent out parts of regiments and companies to the front and completed the organization as fast as possible. So, too, at present in the State of Iowa there is not now a single organized regiment, and in this State only eight companies of an organized regiment.

There are several regiments, batteries, &c., in each State now in process of organization, and upon these partly organized forces I must depend for guards for public property, prisoners, and deserters, and for furnishing the necessary force to provost-marshals for the execution of the draft and the retention and safe-keeping of drafted men. Yet, by decisions made and implied in the Adjutant-General's Office, in the War Department, mustering officers in the States in this department are in no sense under my control.

These same mustering officers, however, claim to have exclusive charge of all recruits, both for old and new regiments, to command all troops in process of organization, and all camps where these forces are assembled.

Such an "*imperium in imperio*" is subversive of all proper military control or discipline, and, if enforced, absolutely deprives me of any military force to use for any of the purposes named above, unless old regiments are ordered back from the field, a thing neither necessary nor desirable.

The difficulty in which the inclosed charges originated resulted from the fact that Lieutenant-Colonel Grier, mustering officer in Iowa, attempted to supersede the commanding officer at Camp McClellan, Davenport, by ordering another officer to command, claiming that it was a recruiting station and therefore under his control.

When I tell you that this camp is the military post in this department at which 300 condemned Sioux prisoners are confined, you will

readily understand the extraordinary nature of Lieutenant-Colonel Grier's conduct. The good sense and discretion of the mustering officers in Wisconsin and Minnesota have saved us from difficulties in either of those States.

This is not the first occasion on which difficulty has been made by Colonel Grier and disrespect shown to the department authority. I have the honor to request that he be relieved from duty in Iowa, and that Lieut. Col. William Chapman, Third U. S. Infantry, now at Green Bay, in this State, be sent to replace him.

Lieutenant-Colonel Chapman has lately been retired from active service, but is an excellent officer and well qualified for such duty. I have several times asked the action of the General-in-Chief on this subject, but the matter seems to be more directly in charge of officers in the War Department.

In view of the facts existing in this department and herein stated, I have the honor respectfully to suggest to you for the benefit of the public service, and to enable the commander of this department to use troops in process of organization for duties heretofore stated in this letter, without recalling troops from the field, or keeping organized regiments out of the field, that general authority be given the department commander over mustering and disbursing officers within his department, which, without authorizing him to interfere with the special duties of those officers, will yet enable him so far to control them as to prevent the occurrence of transactions not creditable to military discipline or subordination.

I ask particularly the replacement of Lieutenant-Colonel Grier by some other officer, as I think there can be no sufficient reason why an officer whose relations with the commander of the department are so unpleasant should be retained here.

I am, sir, very respectfully, your obedient servant,

JNO. POPE,
Major-General, Commanding.

[Inclosure.]

HEADQUARTERS DEPARTMENT OF THE NORTHWEST,
Milwaukee, Wis., November 11, 1863.

Maj. Gen. H. W. HALLECK,
General-in-Chief, Washington, D. C.:

GENERAL: I have the honor to acknowledge the receipt of your letter of the 31st ultimo, inclosing copy of indorsement of Colonel Fry on my letter to you of October 6. I am gratified to notice that on the main point in my letter there is no difference of opinion between Colonel Fry and myself. Any seeming disagreement arises merely from his construction of "verbal" points of my letter. All that was desired to be secured by my order (36) was simply a written statement of the crime charged.

In the case of a deserter, his descriptive list as set forth by Colonel Fry is all that is needed or demanded by Order 36.

It was never intended, nor has it been nor will it be permitted to be construed to mean, that any proof of the facts is required by that order. With such a statement as Colonel Fry specifies there has been no case in which commanders of any military force in this department have refused to receive prisoners from the provost-marshal, nor will such a refusal be permitted. No officer in the department has ever required nor expected more than Colonel Fry states

that he has ordered the provost-marshals to furnish when they present a prisoner for custody.

There can be no obstacle, therefore, in my order to any arrest by provost-marshals who comply with the orders of their own chief. My order simply imposes the same obligations on my subordinate officers that he imposes upon his, neither more nor less than is required by the eightieth Article of War. The order in question never has obstructed and never will obstruct such arrests nor prevent the military force from keeping persons so arrested in custody.

For the protection of the military commander holding persons in custody, it is prescribed by the eightieth Article of War that he shall have a written statement of crime charged (not proved).

In my judgment, therefore, no modification of my order is necessary. It only requires provost-marshals to furnish the written statements which they are directed to furnish by the Provost-Marshal-General himself. My order simply inforces the execution of his orders as far as the military authorities are concerned.

I am a little surprised that after reading my order (36) Colonel Fry should state that it lays down the principle that "a prisoner charged with a high crime shall not be received by the proper custodians unless all the particulars connected with the offense can be presented in writing by the officer making the arrest, and presented, too, in proper shape for trial."

No such principle is laid down, nor are these words, nor anything approaching the substance of them, to be found in my order (36). I require full particulars, not of details, nor "in proper shape for trial," but such as can be presented in charges and specifications for trial: that is, such a paper as the officer receiving the prisoner can send with him when he is returned to his regiment, and such as will enable the commander of his company or regiment to make out charges against him.

The descriptive list ordered to be furnished by Colonel Fry covers the whole case, it only being necessary to add to it the date and place of arrest.

Colonel Fry also states that I condemn the provost-marshals in this State. No such thing can be found in my letter. I state a fact which is as well known to him probably as to me.

These appointments of district provost-marshals are "political appointments;" that is, they have been given to persons on recommendation of senators and representatives for political services rendered and not for qualification for their duties. I simply stated that "their discretion and fidelity to their public trusts have not yet been proved and cannot be sufficiently known at Washington to be made the basis of decisions so important to the public welfare."

This remark is no "condemnation" of provost-marshals, nor does it apply to officers of that department any more in Wisconsin than to those of other States of this department.

Surely, the doubt expressed in this remark is natural enough and reasonable enough. There are very many trustworthy district provost-marshals in this department, but there are also some who are not trustworthy. If Colonel Fry knows who belong to the first class and who to the second, and regulates his action accordingly, there can be no difference of opinion between the military authorities and officers of the provost-marshal's department in this State.

The fact that this whole correspondence arose from a letter addressed directly to the Provost-Marshal-General by one of the district provost-marshals in this State without the knowledge or consent of the assist-

ant provost-marshal-general for this State, who was in person present in the same office, and which expressed views entirely opposed to his, makes it clear enough that Colonel Fry is somewhat mistaken as to their knowledge of the duties possessed by the subordinate officers of his department, as well as to the amount of "control" over such officers possessed by the assistant provost-marshal-general for Wisconsin.

Whilst I do not myself see any necessity for the modification of my order (36), which never has obstructed and never would obstruct the performance of duty by provost-marshals in this department, yet, in deference to the wishes of the General-in-Chief and of the Provost-Marshal-General, I have issued the inclosed circular* in relation to that order, in which I have embodied the exact language used by the latter in his indorsement sent me in the letter of the General-in-Chief, dated October 31.

I am, general, respectfully, your obedient servant,

JNO. POPE,
Major-General, Commanding.

GENERAL ORDERS, No. 366. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, November 13, 1863.*

The following revised order is published for the guidance of mustering and disbursing officers in relation to their expenditures from the appropriation for "collecting, drilling, and organizing volunteers," and all previous orders or regulations conflicting therewith are hereby revoked:

I. In organizing new regiments of volunteers—or companies, if they are independent ones—the necessary transportation, as well as subsistence of the recruits, prior to the completion of the organization will be chargeable against the appropriation for "collecting, drilling, and organizing volunteers," or should a regiment fail to complete its organization, until the recruits for the said regiment are transferred to or consolidated with another organization. After the organization of the regiments is complete, and they have been inspected by the mustering officer for the State or district, transportation will be provided by the Quartermaster's Department and subsistence by the Subsistence Department.

II. All passes for transportation by railroad will fully explain, in the case of officers, the necessity for the journey and the nature of the service; in the case of enlisted men, the number of recruits, their company and regiment, and whether prior or subsequent to muster-in of the organization to which the recruits belong; or, if the recruits be for an old organization, whether prior or subsequent to the muster-in of the recruits themselves. A complete statement of these facts is necessary to settle satisfactorily the accounts of railroad companies.

III. The certificate to all vouchers for transportation by private conveyance must state that the prices charged were the current rates of the place where the expense was incurred; also, that transportation by railroad or steam-boat could not be obtained. The vouchers must be approved by the superintendent of the volunteer recruiting service or chief mustering and disbursing officer of the district, and show that the expenditure was incurred for recruits of old organizations prior to muster, or of new regiments prior to complete organization, or for officers and enlisted men traveling under orders on the recruiting service, after having been assigned to duty by the superintendent.

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*Omitted.

The number of men, their company and regiment, the number of miles traveled, and rate per mile, will, in each case, be specified, as in passes for railroad transportation.

IV. Subsistence for recruiting parties detailed from regiments in the field and for recruits of regiments already organized will be provided by the Subsistence Department.

V. Recruiting parties and recruits, both of old and new organizations, will be quartered at the rendezvous if possible; but when convenience and economy require it, a contract for lodgings may be made by the superintendent, or the chief mustering and disbursing officer of the district, not to exceed 12 cents per night for each man. The rent of rendezvous, recruiting offices, and accounts for lodgings will be paid from the appropriation for "collecting, drilling, and organizing volunteers," when approved by the superintendent, but not otherwise.

VI. Subsistence for new organizations, as specified in paragraph I of this order, will be furnished under contracts made by or under the direction of the superintendents, subject to the approval of the Provost-Marshal-General.

VII. All vouchers for subsistence will be accompanied by an abstract of issues (see forms 17, Subsistence Department, Army Regulations of 1861, and 19 of Army Regulations, 1863), certified by the officer ordering the issues. In the column of remarks the company and regiment to which the recruits belong will be stated. The vouchers will specify the date of contract, by whom made and approved, and be supported by a certificate of the superintendent or disbursing officer ordering the issues that the expense was necessary for the public service for troops raised for the United States; that the recruits charged for were present at the time the orders for rations were signed, according to the morning report of the officer in charge; that they were actually enlisted prior to the date charged for, and that the regimental organization was not complete at the date of the account.

VIII. All disbursing officers authorized to purchase public property from the appropriation for "collecting, drilling, and organizing volunteers" will be held strictly accountable for every article purchased, and the property must be accounted for as required by paragraphs 962 and 1040, Army Regulations of 1861, in order that the accounts may pass to the credit of the officer making the purchases.

IX. In addition to knives, forks, tin plates, and tin cups, authorized in General Orders, No. 70, of 1861, spoons will be allowed to volunteers.

X. Superintendents of the Volunteer Recruiting Service and chief mustering and disbursing officers will in future be more careful in their instructions to recruiting officers under their direction, as it is believed that a large amount of money has been improperly expended by them in good faith, and through ignorance of the regulations, which cannot be reimbursed. It should be understood that they have no right to incur expense without proper authority, and no authority to expend money on account of the United States for recruits in their charge, except in cases of extreme emergency, when the vouchers therefor should fully explain the necessity, be approved by the superintendent, and presented for payment before the recruiting officer leaves the State. Advance bounties and premiums will, under no circumstances, be paid by recruiting officers.

XI. All expenses incurred on account of recruits (hereafter enlisted by recruiting officers, either for old or new regiments) who shall be rejected, after medical inspection, for obvious disability existing at

the time of their enlistment, will be charged on the muster-in roll, opposite the name of the officer enlisting them, and stopped from any pay which may thereafter be due him from the Government.

XII. Returns of property in charge of recruiting officers should be forwarded monthly to the superintendent or chief mustering and disbursing officer of the district for examination and approval, and transmitted by them to the Provost-Marshal-General as soon as practicable after the expiration of the month for which they may be due.

XIII. All vouchers for commutation of quarters and fuel of recruiting officers, detailed in accordance with General Orders, Nos. 105, of 1861, and 8, of 1862, must be accompanied, first, by a certified copy of the original order detailing them; second, by the order of the superintendent assigning them to duty, or his certificate that they have been so assigned; also a copy of the order relieving them from duty (with the final accounts). The certificates prescribed in form 21, Quartermaster's Department, Army Regulations, must in all cases be signed by the proper officers, or the accounts will not be allowed.

By order of the Secretary of War.

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, November 13, 1863.

Governor YATES,
Springfield, Ill.:

It will not be necessary to send any force out of your State to Buffalo. It is believed that the measures taken by the Government will be sufficient to resist, and probably prevent, any hostile attack; but great vigilance, especially in regard to steamers, should be employed until further orders.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington City, November 13, 1863.

Hon. F. C. SHERMAN,
Mayor of Chicago:

The Department is obliged to you for your telegram of yesterday. It is probable that the precautions taken by the Government may prevent any hostile attack; but the measures and vigilance mentioned by you are approved, and your action, under whatever circumstances may present themselves, will be fully sustained by the Government.

EDWIN M. STANTON,
Secretary of War.

U. S. MILITARY COMMANDER'S OFFICE,
Detroit, Mich., November 13, 1863.

General L. THOMAS,
Adjutant-General U. S. Army, Washington, D. C.:

GENERAL: I have the honor to report that about ten days since rumors began to reach me that an expedition was being organized in

some port of Canada or in Welland Canal for the purpose of attacking the guard at Johnson's Island and releasing the prisoners, to capture if possible the U. S. steamer "Michigan," and levy contributions on the lake cities or destroy them. I immediately sent special detectives over to Windsor, Canada, who associated with the rebels and disaffected persons there, and in the course of a few days I became satisfied that there was an organization which would make us trouble unless precautions were taken.

I consulted with acting assistant provost-marshal-general, Col. B. H. Hill, and other influential persons of this State, and put them in possession of all the facts. I also notified General Cox, commanding at Cincinnati, and Lieutenant-Colonel Pierson, commanding the guard at Johnson's Island. General Cox informed me that he had ordered detachments of artillery and infantry to Sandusky.

Within the last four or five days the large number of rebels had disappeared from Windsor, and my detectives informed me that they had gone to take possession of their vessels, the precise locality of which I could not ascertain. But I sent detectives two days since to accompany some of the men, and I am now waiting and expecting their return, when I shall know all the facts. I also, after consultation with the acting assistant provost-marshal-general, General Robertson, Senator Chandler, and others, sent yesterday a steamer—the Forest Queen—to look around the lake for a day or two to ascertain the truth of the rumors which had reached us that one or two hostile vessels were already in Lake Erie.

It was deemed advisable by all with whom I consulted that a small armament should be placed on board the steamer under charge of Colonel Loomis, of Michigan artillery, who chanced to be in the city at the time. This community was in a state of wild excitement at all the rumors, and it was believed that the measure of sending a steamer with a few arms on board to make a reconnaissance would have the effect to allay the excitement, which has been happily effected.

In all these measures I have consulted freely with the authorities of the Federal and State governments, and have only acted on their entirely coinciding with me in opinion.

As soon as the steamer returns, probably this evening or to-morrow, I will be able to make a more complete report.

Very respectfully, I am, sir, your obedient servant,

J. R. SMITH,
Lieutenant-Colonel, U. S. Army, Military Commander.

WAR DEPARTMENT,
Washington City, November 13, 1863.

Major-General SCHOFIELD,
Saint Louis:

The modifications proposed by you in your two telegrams of the 12th, of which one was received last night and the other this morning, are approved. You are authorized to recruit colored troops in accordance with them, as if embraced in the original regulations. I am obliged to you for the attention you are giving to this important subject.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington City, November 13, 1863.

Brig. Gen. E. R. S. CANBY,
New York:

You will remain at New York, if desired by General Dix, until he returns from the west.

EDWIN M. STANTON,
Secretary of War.

ROCHESTER, N. Y., *November 13, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

Your dispatch of yesterday came duly to hand and received immediate attention. I have nothing new to report. All is quiet here.

N. C. BRADSTREET,
Mayor.

WAR DEPARTMENT,
Washington City, November [13], 1863.

Governor DAVID TOD,
Columbus, Ohio:

Ordnance has been ordered to Cleveland, and will be ordered to Toledo for the companies of artillery there.

EDWIN M. STANTON,
Secretary of War.

COLUMBUS, OHIO, *November 13, 1863.*

Hon. E. M. STANTON,
Secretary of War:

All quiet at Johnson's Island this morning. With the force we now have there we have nothing to fear.

DAVID TOD,
Governor.

SANDUSKY, OHIO, *November 13, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

My artillery has arrived and the volunteer militia. I think I can answer for the safety of anything here in any emergency. No further news of any hostile movements.

J. D. COX,
Brigadier-General, Commanding.

ERIE, Pa., *November 13, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

This is the only point in the State that a landing can be made except in small boats. The entrance to the harbor can be easily

defended with a few pieces of artillery. The question is, how to determine before landing the character of the vessels and when to use the batteries. A small tug might be employed to speak vessels. I have here over 200 troops; 300 will be here to-morrow and four Napoleon guns.

W. T. H. BROOKS,
Major-General.

MILWAUKEE, WIS., *November 13, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: Your dispatch of the 11th instant in relation to the Canadian plot is received. I have taken the precautionary measures suggested by you and shall use due diligence in the matter. So far I have discovered nothing of a suspicious character. If anything should occur worthy of note I shall immediately communicate with your Department.

I have the honor to be, your obedient servant,

EDWD. O'NEIL,
Mayor.

[NOVEMBER 13, 1863.—For Couch to Townsend, relating to difficulties in the mining district of Hazleton, Pa., in connection with the draft, see Series I, Vol. XXIX, Part II, p. 451.]

GENERAL ORDERS, No. 135. } HDQRS. DEPARTMENT OF THE MISSOURI, *Saint Louis, Mo., November 14, 1863.*

Whereas the exigencies of the war require that colored troops should be recruited in the State of Missouri, the following regulations, having been approved and ordered by the President, will govern the recruiting service for colored troops in Missouri, viz:

I. All able-bodied colored men, whether free or slaves, will be received into the service, the loyal owners of slaves enlisted being entitled to receive compensation as hereinafter provided.

II. All persons enlisted into the service shall forever thereafter be free.

III. None but able-bodied persons shall be enlisted.

IV. The State and county in which the enlistments are made shall be credited with the recruits enlisted.

V. The owner of every slave recruited into the service shall receive from the recruiting officer a certificate to that effect, together with a copy of the descriptive list of the person enlisted.

VI. A board of three persons is to be appointed by the President, to whom the rolls and recruiting lists shall be furnished, for public information, and on demand exhibited to any person claiming under oath that his or her slave has been enlisted, and that he or she has not received a certificate and descriptive list, as provided in paragraph V.

Any such person shall also be permitted to inspect the recruits at any recruiting station, or at the general rendezvous, for the purpose of identification.

VII. If any person shall, within ten days after the filing of said rolls, make a claim for the service of any person so enlisted, the

Board shall proceed to examine the proof of title, and, if valid, shall give a certificate of enlistment and descriptive list, as provided in paragraph V.

VIII. The Board shall award to the owner of each slave enlisted a just compensation for his services, not exceeding the sum of $300, upon the presenting by said owner of the certificate of enlistment and filing a valid deed of manumission and of release, and making satisfactory proof of title. *Provided:* First. That no person who is or has been engaged in rebellion against the Government of the United States, or who has in any way given or shall give aid or comfort to the enemies of the Government, shall be awarded any compensation for the services of any slaves enlisted into the service of the United States.

Second. That no compensation shall be awarded for the services of any slave who has at any time during the present rebellion belonged to any person who has been in rebellion or given aid or comfort to the enemies of the Government.

Third. All claimants shall file with their claims an oath of allegiance to the Government of the United States.

IX. The Board shall give the claimant a certificate of the sum awarded, which, on presentation, will be paid by the chief of the Bureau for Organizing Colored Troops.

X. Enlistments will be made under the direction of the provost-marshal-general of the department, by the district and assistant provost-marshals, and by no other persons.

XI. Triplicate descriptive lists will be made out in every case upon printed forms to be furnished from the Provost-Marshal-General's Office. One copy to be sent by mail to the Provost-Marshal-General, another copy to be sent with the recruits to the rendezvous, and the third copy to be given to the owner of the person enlisted if said enlisted person be a slave. If the enlisted person be free or his owner unknown the third copy of the descriptive list will also be sent to the Provost-Marshal-General.

XII. Each provost-marshal shall keep a record of all enlistments made by him of the same form as the descriptive roll.

XIII. All recruits will be sent to Saint Louis in parties, in charge of an officer or non-commissioned officer, who will also have charge of their descriptive lists, and will be reported to the officer in charge of colored troops at the general rendezvous at Benton Barracks.

XIV. Col. William A. Pile, Thirty-third Missouri Volunteers, is placed in charge of the colored recruits at Benton Barracks. He will organize them into companies and regiments, in accordance with existing orders, and present them to the commissary of musters at Benton Barracks for muster into service.

XV. The officers for these regiments are to be appointed by the Secretary of War, after examination by a board of officers now in session in Saint Louis. Applications for permission to appear before this board, accompanied by satisfactory certificates of loyalty and good character, will be approved by the commanding general and forwarded to the War Department.

XVI. The surgeon on duty at any post or station where enlistments may be made will examine all recruits that may be presented to him by the provost-marshal, and determine their fitness for military service. No person will be enlisted until he shall have passed a satisfactory examination, as prescribed by Army Regulations.

The examining surgeon and recruiting officer will sign the proper certificate, attached to the descriptive list.

XVII. All district and other commanders are directed to afford the provost-marshals all facilities necessary to the successful and speedy prosecution of this recruiting service. Upon the requisition of provost-marshals the necessary officers and non-commissioned officers will be detailed to take charge of recruits at the several recruiting stations, and to conduct them to Saint Louis.

XVIII. Subsistence will be issued to recruits upon provision returns signed by the provost-marshals. Issuing commissaries will keep separate accounts of subsistence so issued and report the same to the chief commissary of the department. No other supplies will be issued to recruits until they reach the general rendezvous.

XIX. Transportation orders for parties of colored recruits signed by provost-marshals will be honored by the quartermaster's department, and respected by the officers of all railroads and steam-boats in this department.

By command of Major-General Schofield:

O. D. GREENE,
Assistant Adjutant-General.

BUFFALO, [*November 14,*] *1863—7 p. m.*

Maj. Gen. W. T. H. BROOKS:

If you have troops in the service of the United States and can spare two or three hundred, I should like to have them here. To-morrow will be in time.

JOHN A. DIX,
Major-General.

WAR DEPARTMENT,
Washington City, November 14, 1863.

General COX,
Sandusky, Ohio:

We have no further information here. General Dix has gone to Buffalo; General Brooks is at Erie. If occasion requires, you can communicate with them, reporting also here.

EDWIN M. STANTON,
Secretary of War.

[NOVEMBER 14, 1863.—For Stanton to Brooks, Dix to Stanton and Seymour, relating to raid from Canada, see Series I, Vol. XXIX, Part II, pp. 457, 458.]

SANDUSKY, *November 14, 1863.*

Maj. Gen. W. T. H. BROOKS:

Among the divers reports we can get nothing definite. Port Stanley, &c., have been visited and nothing suspicious found.

J. D. COX,
Brigadier-General.

HEADQUARTERS OF THE ARMY,
Washington, D. C., November 15, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: In compliance with your orders I submit the following summary of military operations since my last annual report:*

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DEPARTMENT OF VIRGINIA AND NORTH CAROLINA.

Our force in North Carolina during the past year has been too small for any important operations against the enemy, and consequently has acted mostly on the defensive, holding the important positions previously captured from the rebels. Nevertheless, General Foster has given much annoyance to the enemy, and taken every favorable opportunity to threaten and cut his lines.

In December last he marched against Kinston, and on the 14th defeated the enemy and captured that place. He then moved up the south side of the Neuse River to Goldsborough, burned the railroad bridge at that place, and tore up much of the railroad between the river and Mount Olive. He captured 496 prisoners and 9 pieces of artillery. His loss was 90 killed, 478 wounded, and 9 missing.†

In March the rebel General Pettigrew, with a large force of infantry and artillery, made demonstrations on New Berne, but was forced to abandon the attempt upon that place. General Foster's loss was only 2 killed and 4 wounded.

In April General Hill laid siege to Washington, on Tar River. The place had only a small garrison and was but slightly fortified. General Foster, however, immediately directed all his energies to strengthen the works, so as to resist any assault, till re-enforcements arrived from New Berne to raise the siege. There is no report of the losses on either side.

An expedition sent against a rebel camp at Gum Swamp, in May, which captured 165 prisoners and military stores, and another in July against Rocky Mount, on Tar River, which destroyed the bridge at that place and a large amount of rebel property, terminate the military operations in that State to the present time.

On being compelled to abandon his attempt upon Washington, the rebel General Hill marched toward the Nansemond to re-enforce Longstreet, who was investing Suffolk. Failing in his direct assaults upon this place, the enemy proceeded to establish batteries for its reduction. General Peck made every preparation for defense of which the place was capable, and by vigorous and well-timed sorties kept the enemy at a distance, and retarded the construction of his works, till finally the attempt was abandoned. Our loss in these operations was 44 killed, 202 wounded, and 14 missing.‡ We captured 400 prisoners and 5 guns during the siege.

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*Only such portions of this report as are not already published in Series I are here printed. The omitted sections will be found in that series, as follows: Vol. XXI, p. 46; XXII, Part I, p. 9; XXIII, Part I, p. 6; XXIV, Part I, p. 4; XXV, Part I, p. 155; XXVI, Part I, p. 3; XXVII, Part I, p. 14; XXVIII, Part I, p. 2; XXIX, Part I, p. 7; XXX, Part I, p. 93; XXX, Part II, p. 545; XXXI, Part II, p. 11. A section relating to prisoners of war is in Series II, Vol. VI, p. 523.

†But see revised table, Series I, Vol. XVIII, p. 60.

‡But see revised table, *ibid.*, p. 288.

As Suffolk possessed no advantages as a military post, and was not susceptible of a good defense, the garrison was afterward withdrawn within the new lines constructed around Norfolk.

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DEPARTMENT OF THE PACIFIC.

This department has been most signally exempt from the evils of civil war, and consequently has enjoyed unexampled prosperity. Some thefts and robberies having been committed by roving bands of Indians on the Overland Stage Route in January last, General Connor marched with a small force to Bear River, Idaho Ter., where, on the 26th, he overtook and completely defeated them in a severe battle, in which he killed 224 of the 300 and captured 175 of their horses. His own loss in killed and wounded was 63 out of 200. Many of his men were severely injured by the frost. Since this severe punishment the Indians in that quarter have ceased to commit depredations on the whites.

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DEPARTMENT OF THE CUMBERLAND.

When General Rosecrans took command of the army in Kentucky it was massed near Bowling Green and Glasgow, the base of supplies being then at Louisville, which a few days later was advanced to Nashville, which was made a secondary base.

After the battle of Perryville and our pursuit to Mount Vernon, as stated in my last report, the rebel army retreated across the Cumberland Mountains, leaving a force in Cumberland Gap; then moved down the Tennessee Valley to Chattanooga, and thence, by Stevenson and Tullahoma, to Murfreesborough, a distance of 400 miles, while our army had marched to Nashville, a distance of only a little over 200 miles.

On the 26th of December General Rosecrans advanced against Bragg, whose forces were at that time somewhat dispersed along the road. On the 30th our army, after heavy skirmishing en route, reached the vicinity of Murfreesborough and took up a line of battle. The left, under Crittenden, crossed the next day to the east of Stone's River, while the center, commanded by Thomas, and the right, by McCook, were posted on the west bank of the river. By the plan of battle agreed upon McCook was to hold the enemy in check on the right at least for three hours, until Crittenden crossed Stone's River, crushed the enemy's right to the east of the stream, and forced his way into Murfreesborough, taking the enemy in flank and reverse, the unsupported rebel center being exposed at the same time to the vigorous blows of Thomas. This well-conceived programme, unfortunately, was unsuccessful, from the failure of McCook to maintain his position, our right, brigade after brigade in succession, being forced back by the enemy's heavy columns with regimental front. This retrograde movement of the right caused Crittenden to suspend his march and support our forces on the west bank of the river, the battle, on our part, changing from the offensive to the defensive. The day closed with our right and right center about at right angles to the first line of battle, but leaving us masters of the original ground on our left, and our new line advantageously posted with open ground in front swept at all points by our artillery. Though in this day's engagement the enemy had been roughly handled, our loss in men and artillery had been heavy.

On the 1st of January we waited in position the enemy's attack, but the day closed without offensive operations, except two demonstrations, producing no results.

On the morning of the 2d the enemy opened four heavy batteries on our center, and made a strong demonstration of attack a little farther to the right, but a well-directed artillery fire soon silenced his batteries and put an end to his efforts there. In the afternoon a vigorous attack was made on our left by heavy columns, battalion front, forcing us, after severe fighting, to cross to the west of the river, from which side a well-directed artillery fire, supported by infantry, was opened with terrific havoc on the enemy's masses, inflicting a loss upon him in forty minutes of 2,000 killed and wounded. The defeated and flying enemy were pursued by five brigades until after dark. We captured four pieces of artillery and a stand of colors.

As a heavy rain on the morning of the 3d rendered the ploughed ground on our left impassable for artillery, no pursuit was ordered, and the day terminated without further hostilities than driving from our front the enemy's numerous sharpshooters, who greatly annoyed us from the woods and their rifle-pits.

On the 5th we occupied Murfreesborough, and pursued the enemy six or seven miles toward Manchester, but the difficulty of bringing up supplies and the great loss of artillery horses was thought to render further pursuit inexpedient.

Our loss in this battle was 1,533 killed, 7,245 wounded, and 2,800 missing, and 28 pieces of artillery and a large number of wagons captured by the enemy. Reported rebel loss in killed and wounded was 14,560. We captured 6 pieces of their artillery.

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GENERAL REMARKS AND RECOMMENDATIONS.

It has not been possible in the foregoing summary to refer to all the engagements which our troops have had with the enemy during the past year, as no official accounts or reports of some of them could be found. The details given have been compiled from telegrams, dispatches, and reports scattered through the various bureaus of the War Department. I respectfully recommend that all these official documents and reports received since the beginning of the war be collected and published in chronological order, under the direction of the Adjutant-General's Department. Some have already been published by Congress, but they are so incorrectly printed and badly arranged as to be almost useless as historical documents.

The rebel armies live mainly upon the country through which they pass, taking food and forage alike from friends and foes. This enables them to move with ease and great rapidity. Our commanders operating in the rebel States generally find no supplies, and in the border States it is difficult to distinguish between real friends and enemies. To live upon the country passed over often produces great distress among the inhabitants; but it is one of the unavoidable results of war and is justified by the usages of civilized nations. Some of our commanders have availed themselves of this right of military appropriation, while others have required too large supply trains, and have not depended as much as they might have done upon the resources of the country in which they operated. General Grant says, in his official report:

In the march from Bruinsburg to Vicksburg, covering a period of twenty days before supplies could be obtained from the Government stores, only five days'

rations were issued, and three of these were carried in the haversacks at the start and were soon exhausted. All other subsistence was obtained from the country through which we passed. The march was commenced without wagons, except such as could be picked up through the country.

Instructions have been given to the generals operating in hostile territory to subsist their armies, so far as possible, upon the country, receipting and accounting for everything taken, so that all persons of proved loyalty may hereafter be remunerated for their losses. By this means our troops can move more rapidly and easily and the enemy is deprived of supplies if he should reoccupy the country passed over by us. Some of our officers hesitate to fully carry out these measures from praiseworthy but mistaken notions of humanity, for what is spared by us is almost invariably taken by the rebel forces, who manifest very little regard for the suffering of their own people. In numerous cases women and children have been fed by us to save them from actual starvation, while their fathers, husbands, and brothers are fighting in the ranks of the rebel armies or robbing and murdering in the ranks of guerrilla bands.

Having once adopted the system of carrying nearly all our supplies with the army in the field—a system suited to countries where the mass of the population take no active part in the war—it is found very difficult to effect a radical change. Nevertheless, our trains have been very considerably reduced within the past year. A still greater reduction, however, will be required to enable our troops to move as lightly and rapidly as those of the enemy.

In this connection I would respectfully call attention to the present system of army sutlers. There is no article legitimately supplied by sutlers to officers and soldiers which could not be furnished at a much less price by the Quartermaster's and Commissary Departments. Sutlers and their employés are now only partially subject to military authority and discipline, and it is not difficult for those who are so disposed to act the part of spies, informers, smugglers, and contraband traders. The entire abolition of the system would rid the army of the incumbrance of sutler wagons on the march and the nuisance of sutler stalls and booths in camp; it would relieve officers and soldiers of much of their present expenses, and would improve the discipline and efficiency of the troops in many ways, and particularly by removing from camps the prolific evils of drunkenness.

I referred in my last report to the large numbers of officers and soldiers absent from their commands. It was estimated from official returns in January last that there were then absent from duty 8,987 officers and 282,073 non-commissioned officers and privates. Only a part of these were really disabled or sick. The remainder were mostly deserters, stragglers, malingerers, and shirks, or men who absented themselves in order to avoid duty. Much of this evil has been abated. Very few furloughs are now given, and officers absent from duty not only lose their pay, but are subject to summary dismissal. Straggling and desertion have also greatly diminished, and might be almost entirely prevented if the punishment could be made prompt and certain. In this respect our military penal code requires revision. The machinery of courts-martial is too cumbrous for the trial of military offenses in time of actual war. To organize such courts it is often necessary to detach a large number of officers from active duty in the field, and then a single case sometimes occupies a court for many months. To enforce discipline in the field it is necessary that trial and punishment should promptly follow the offense.

In regard to our military organization, I respectfully recommend an increase of the Inspector-General's Department, and that it be merged in the Adjutant-General's Department.

The grades of commanders of armies and of army corps should be made to correspond to their actual commands. The creation of such grades need not cause any additional expense to Government, as the pay and emoluments of generals and lieutenant-generals could be made the same as now allowed to major-generals commanding divisions.

I also respectfully call attention to our artillery organization. In the Fifth Regiment of U. S. Artillery each battery is allowed one captain, four lieutenants, eight sergeants, and twelve corporals; and all of these, together with the privates, receive cavalry pay and allowances. In the First, Second, Third, and Fourth Regiments of U. S. Artillery, a battery is allowed one captain, three lieutenants, four sergeants, and four corporals, and, with the exception of two batteries to each regiment, for which special allowance was made by laws enacted on March 2, 1821, and March 3, 1847, all of these receive the pay and allowances of infantry; yet they are all, with the exception of four or five companies, performing precisely similar duties.

A field battery of six guns absolutely requires all the officers and non-commissioned officers allowed in the Fifth Artillery, and the additional responsibility of the officers and labor of both officers and enlisted men render necessary the additional pay and allowances accorded by law to those grades in that regiment.

A simple remedy for these evils is the enactment of a law giving the First, Second, Third, and Fourth Regiments of U. S. Artillery the same organization and same rates of pay as the Fifth Regiment; which, it may be added, is also the same as that already given to all the volunteer field batteries now in the U. S. service.

A similar discrepancy existed in the cavalry regiments till an act passed by the last Congress placed them all upon the same basis of organization and pay.

The act authorizing the President to call out additional volunteers, or drafted militia, limits the call to the cavalry, artillery, and infantry arms, and makes no provision for organizing volunteer engineer regiments. This was, unquestionably, a mere verbal omission in the law, and should be supplied, as it creates serious embarrassments in the organization of armies in the field. The generals commanding these armies complain in strong terms of the deficiency of engineer troops for the repair of railroads, the construction of pontoon bridges, and carrying on the operations of a siege, and urge that the evil be promptly remedied.

The waste and destruction of cavalry horses in our service has proved an evil of such magnitude as to require some immediate and efficient remedy. In the Army of the Potomac there are thirty-six regiments of cavalry, averaging for the last six months from 10,000 to 14,000 men present for duty. The issues of cavalry horses to this army for the same period have been as follows.

May	5,673
June	6,327
July	4,716
August	5,499
September	5,827
October	7,036
Total	35,078

To this number should be added the horses captured from the enemy and taken from citizens, making altogether an average remount every two months. We have now in our service some 223 regiments of cavalry, which will require, at the same rate as the Army of the Potomac, the issue within the coming year of 435,000 cavalry horses.

The organization of a Cavalry Bureau in the War Department, with frequent and thorough inspection, it was hoped would in some degree remedy these evils. To reach their source, however, further legislation may be necessary. Probably the principal fault is in the treatment of their horses by the cavalry soldiers. Authority should therefore be given to dismount and transfer to the infantry service every man whose horse is, through his own fault or neglect, rendered unfit for service. The same rule might be applied to cavalry officers who fail to maintain the efficiency of their regiments and companies. The vacancies thus created could be filled by corresponding transfers from the regular and volunteer infantry.

By the existing law the chief adjutant-general, inspector-general, quartermaster, and commissary of army corps are allowed additional rank and pay, while no such allowance is made to the chiefs of engineers, artillery, and ordnance in the same corps. These latter officers hold the same relative position, and perform duties at least as important and arduous as the others, and the existing distinction is deemed unjust to them.

* * * * * * *

CONCLUSION.

It is seen from the foregoing summary of operations during the past year that we have repelled every attempt of the enemy to invade the loyal States, and have rescued from his domination Kentucky and Tennessee, a portion of Alabama and Mississippi, and the greater part of Arkansas and Louisiana, and restored the free navigation of the Mississippi River.

Heretofore the enemy has enjoyed great advantages over us in the character of his theater of war. He has operated on short and safe interior lines, while circumstances have compelled us to occupy the circumference of a circle. But the problem is now changed. By the reopening of the Mississippi River the rebel territory has been actually cut in twain, and we can strike the isolated fragments by operating on safer and more advantageous lines.

Although our victories since the beginning of the war may not have equaled the expectations of the more sanguine, we have every reason to be grateful to Divine Providence for the steady progress of our arms. In a little more than two years we have recaptured nearly every important point held by the rebels on the sea-coast, and we have reconquered and now hold military possession of more than 250,000 square miles of territory held at one time by the rebel armies and claimed by them as a constituent part of their confederacy. The extent of country thus recaptured and occupied by our armies is as large as France or Austria, or the entire peninsula of Spain and Portugal, and twice as large as Great Britain, or Prussia, or Italy.

Considering what we have already accomplished, the present condition of the enemy, and the immense and still unimpaired military resources of the loyal States, we may reasonably hope, with the same

measure of success as heretofore, to bring this rebellion to a speedy and final termination.

All of which is respectfully submitted.

H. W. HALLECK,
General-in-Chief.

GENERAL ORDERS, No. 17. OFFICE OF THE SIGNAL OFFICER, *Washington, November 15, 1863.*

In compliance with the instructions of the Secretary of War, Maj. W. J. L. Nicodemus, Signal Corps, U. S. Army, will assume charge of the Bureau of the Signal Corps.

In leaving at the order of the War Department the command of the corps, the Signal Officer of the Army expresses to the officers and men with whom he has served so long, and whose progress he has watched so interestedly, his appreciation of the zeal and gallantry with which they have brought forward their infant arm of the service, and the hope that, directed by others, their progress may meet with better success and higher reward. To each and all, officers and men, he extends his warmest regards and the feeling of the kindest friendship now and hereafter for every faithful member of the corps.

ALBERT J. MYER,
Colonel and Signal Officer of the Army.

GENERAL ORDERS, No. 18. OFFICE OF THE SIGNAL OFFICER, *Washington City, November 15, 1863.*

I. In compliance with the instructions of Special Orders, No. 499, War Department, Adjutant-General's Office, dated Washington, November 10, 1863, I hereby assume command of the Signal Corps.

II. All existing rules and regulations will continue in full force until further orders.

WM. J. L. NICODEMUS,
Major, Signal Corps, U. S. Army.

BUFFALO, *November 15, 1863—10 a. m.*

Maj. Gen. W. T. H. BROOKS:

I shall be very glad to have the old soldiers mentioned in your dispatch of last evening. They will be in time if they leave Erie to-morrow morning.

JOHN A. DIX,
Major-General.

SANDUSKY, OHIO, *November 15, 1863.*

Hon. E. M. STANTON:

Dispatch from Detroit says:

Rebels who left Windsor to join the raid are returning, saying that the plans are frustrated for the present, and will have to be postponed for a time.

I regard this as ending the immediate danger, but will keep the force here as it is till the above is confirmed.

J. D. COX,
Brigadier-General, Commanding.

[NOVEMBER 15, 1863.—For General Hurlbut's General Orders, No. 157, relating to the impressment of citizens into the military service, see Series I, Vol. XXXI, Part III, p. 160.]

NEW ORLEANS, LA., *November 16, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: On my way up the river I met General Wadsworth at Vicksburg and I accompanied him to Goodrich's Landing to visit some of the leased plantations. Having inspected some of the upper stations on his way down the river, he determined to proceed to New Orleans and from there to Washington. Desiring that he should see everything possible, and wishing to communicate freely with him, I determined to accompany him, putting my little steam-boat at his control. Stoppages were made for inspection at Vicksburg, Natchez, Port Hudson, and Baton Rouge. The general has made his inspections here and on the Government plantations some forty miles below on the river, and yesterday went to Brashear City. He designs taking the steamer of Thursday next (18th instant) for New York, with material sufficient to make a report of the state of affairs in the Departments of the Tennessee and of the Gulf. My regret is that he had not allowed himself more time to look minutely into everything. I know an inspector could be profitably employed for the next three months. He will have somewhat to say about competent inspectors to assist me.

The general seems to be well satisfied with what has been done, and can make the necessary allowances for the difficulties under which we have labored. Much has undoubtedly been done with reference to the altered condition of the colored race, but a vast deal more has yet to be done. While every day is producing a change, I am wedded to no system, except that of making them able-bodied soldiers and instructing them, and willingly yield to what experience teaches. I am acting under the principle that African slavery can no longer exist in the United States, and that the blacks must be taught to sustain themselves. Accordingly I will not permit them to remain in camp in idleness, a burden to the Government, and where they sicken and die, but shall hire them out to loyal lessees of plantations, and encourage such as are not needed for military purposes to remain on the plantations with their former owners, provided they receive proper wages and are well treated. This seems to me to be the most judicious course I can adopt under present circumstances. I expect to leave the city to-morrow at 12 o'clock for Vicksburg.

I have the honor to be, very respectfully, your obedient servant,

L. THOMAS,
Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., November 16, 1863.

Brig. Gen. R. F. STOCKTON, Jr.,
Adjutant-General of New Jersey, Trenton, N. J.:

GENERAL: I have the honor to acknowledge the receipt of your communication of the 5th instant, stating that you had received mine of the 3d, inclosing copy of a letter to Brigadier-General Peirce, of Massachusetts, and that His Excellency Governor Parker was desirous

that such portion of the principles as are embraced in the following points should be applied to the State of New Jersey, viz:

First. "That such officers of regiments in the field as the Governor may desire shall be detailed for recruiting service in the State and under the direction of the Governor, the detail being first made from regiments whose term of service expires in 1864."

Second. "That when practicable old regiments shall be sent home to be recruited under the direction of the Governor."

In reply I would respectfully state that these conditions meet with my approval, regiments to be sent home at such time as the commanding general in the field may see fit.

Your third point—"the Governor to have such arrangement as he may desire in regard to the amount and mode of payment of premiums for obtaining recruits for old regiments, and the persons to whom it is to be paid, premium not to exceed $25 for veterans and $15 for new recruits, nor to be paid till the recruits are accepted by the United States," the detail of such arrangements as the Governor may decide upon to be communicated to and arranged with the acting assistant provost-marshal-general for the State of New Jersey—also meets with my approval.

I have the honor to be, general, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

HEADQUARTERS,
Buffalo, N. Y., November 16, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: At my request Governor Seymour ordered the Seventy-fourth Regiment New York State National Guard—militia—to report to me. I propose to muster them into the service of the United States for thirty days, unless sooner discharged.

There are at Elmira eight companies of the Invalid Corps, about 500 men. I learn that they have nothing to do now but guard barracks. If four of these companies could be ordered here, the Seventy-fourth Regiment might be mustered out of service.

Major-General Brooks telegraphed me from Erie yesterday that he had more men than he wanted, and at my request he sent me 100. They belong to Pittsburg, and should return there soon. There is neither a quartermaster nor a commissary here. If I can have four of the companies at Elmira they can be provided for by Captain Scroggs, the assistant provost-marshal, who has about thirty men of the Invalid Corps here now. They will make altogether about 275 men, and there certainly ought to be as many here under all circumstances.

Some detectives sent into Canada and just returned report nothing new, nor can they ascertain that there are any unusual assemblages. The warnings received from the British authorities make it proper to use all possible precautions, and I could not do less than I have done here.

I have ordered a detective from New York, and shall send him across the lines this afternoon. He is acquainted with many of the Southern refugees in Canada, and from him I expect to obtain the most reliable information in regard to their designs.

I intend to return to New York to-morrow, leaving one of my staff here for a few days.

Soliciting your early decision in regard to the re-enforcement suggested from Elmira,

I am, very respectfully, your obedient servant,

JOHN A. DIX,
Major-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., November 16, 1863.

Capt. C. TOWER,
Prov. Mar. Tenth Dist. of Pennsylvania, Pottsville, Pa.:

CAPTAIN: I am directed by the Provost-Marshal-General to acknowledge receipt of your communication of the 7th instant relative to the case of George K. Smith, who was murdered in his own house. In reply I am instructed to inform you that as this is a case of murder it comes within the jurisdiction of the civil authorities, who must attend to the case.

I am, captain, very respectfully, your obedient servant,

SAML. B. LAWRENCE,
Capt., Sixteenth Infty., and Actg. Asst. Adjt. Gen.

PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., November 17, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I have the honor to submit the following report of the operations of the Bureau of the Provost-Marshal-General of the United States, and of the Volunteer Recruiting Service, and the Invalid Corps. The act of March 3, 1863, for enrolling and calling out the national forces, is the first ever passed by Congress in which the Government has appealed directly to the citizens of the United States to create a large army without the intervention of the authorities of the respective States.

The main objects of the act may be stated in general terms as follows:

First. To enroll and hold liable to military duty the national forces.

Second. To call forth the national forces by draft, and assign the "persons so drafted" to military duty in corps, regiments, or other branches of the service.

Third. To secure the return of deserters and prevent desertion.

The duties required by the act were of vast extent, and the means were not sufficiently provided in detail by the law for securing the ends proposed. The executive officers created were a Provost-Marshal-General, with the rank of colonel, and a provost-marshal for each Congressional district, with the rank of captain. For the purpose of enrollment and draft the law provided that a board should be created in each district by uniting with the provost-marshal a surgeon and a civilian. This board had power to appoint persons to make the enrollment. No other means are designated by the law to carry out its purposes.

Regulations have been prepared which prescribed the details incident to the systematic execution of the law. It was important

that the officers of the General Government should, in executing the law, secure the co-operation of the State officers, and should act in harmony with them. To secure this end, officers of the Army, carefully selected and under suitable special instructions, were detailed to act as provost-marshals-general of States, and directed to take posts at State capitals. This arrangement was necessary, also, to relieve this office from the burden of direct correspondence with all the district provost-marshals, and to provide an official in each State to whom reference could conveniently be had for such information as might be beyond the power of the district provost-marshals to afford.

THE ENROLLMENT.

The object of the enrollment was twofold: First, to ascertain how many men liable to military service there were on the 1st of July last in the United States; and, secondly, to provide the means to establish between the Government and each district an account of military service, in which a charge should be made of all that was due, and credit given for all that was or should be paid. No such system has heretofore been adopted; under it every citizen may be called upon to do his proper share of military duty, with a certain knowledge that it will be duly credited to him. It would seem that no arrangement could be more satisfactory to all who are willing to do their share in defense of their country.

The enrollment was commenced about the 25th of May. It proceeded rapidly in all the States except Missouri, Kentucky, West Virginia, Oregon, and California, and drafts were ordered as fast as districts were enrolled and quotas could be computed and assigned. In the States referred to above the enrollment was not commenced until after the others, on account of difficulty in selecting the necessary officers.

It was conducted with industry and care. It is believed that the errors which must necessarily occur in such an undertaking are comparatively few. Its imperfections arise from the fact that questions of alienage, physical disability, &c., could not be decided by enrolling officers, but were left to the decision of the boards. The conduct of persons desiring to evade the draft tended to aggravate the difficulty. My report to you dated August 10, to which reference is had, gives details of the measures taken to make the enrollment correct.

The opposition encountered in making the enrollment cannot be said to have been serious. Some of the enrolling officers were maltreated and one or two assassinated; but prompt action on the part of the civil authorities, aided, when necessary, by military patrols, effected the arrest of guilty parties and checked these outrages.

In certain mining districts in Pennsylvania organized bodies of miners for a time opposed the enrollment, but the measures thereupon adopted by the U. S. authorities overcame their opposition.

Persons arrested for violation of the twenty-fifth section of the enrollment act, or on account of obstructing the enrollment, have been turned over to the proper civil authorities for trial.

Great labor and difficulty have been experienced in the attempt to equalize between the districts of the several States the number of troops already furnished and those to be furnished. The quotas under which troops had been raised in 1861 and 1862 were based upon population, and without reference to equalizing the numbers called for among districts or towns. Much was left to individual enterprise,

and certain localities, by offering bounties and adopting other means of stimulating enlistments, drew many of their own quota from the people of other places. Every new call was independent of any which had preceded it.

It was practicable to ascertain what number of men each State had furnished to the service of the United States at any given date; but while volunteering was going on simultaneously in various towns and districts of a State, it was found difficult, if not impossible, to equalize the draft, at any one time, among the respective districts or towns of that State; hence, complaints sometimes arose of inequality among towns and districts, for which the statute furnished no remedy, nor was it in the power of the Government to remove the difficulty. The claims and statements to the Bureau concerning the number of men furnished by towns were found to be conflicting, and sometimes irreconcilable. But the knowledge obtained by the enrollment and the establishment of the new system of keeping accounts directly with towns, counties, &c., will facilitate the assignment of future quotas, and prevent further difficulty or confusion.

Circumstances have prevented the completion of the enrollment in some of the States. As far as completed the enrollment shows the national forces not now in the military service to consist of 3,113,305 men, including, of course, many whose claims to exemption will be established in case of draft.

THE DRAFT.

It was necessary that the draft should begin as soon as possible, and it was found best to adopt as the quota of each district one-fifth of the number of men enrolled in class one in that district. By this method of assigning quotas it became practicable to draft in each district (for its proper proportion) as soon as such district was enrolled. Other advantages beside the great saving of time resulted from this method.

The calls of 1861 and 1862 had been based upon population, and a sufficient percentage called for to make a given number. Therefore, those States which contained more females than males were really charged with a greater quota than those in which there was an excess of males.

A table annexed shows the relative number of males and females in several States, and it will be seen that some of the Western States, with quotas nearly the same as some of the Eastern, not only furnished their quotas and a large excess besides, but had a larger proportion of males left than Eastern States which had not entirely filled their quotas, and were therefore deficient. The deficiency was thus, probably, not from unwillingness to answer the call, but from want of men, while the excess was attributable in some degree to the surplus of men as well as to patriotism. Thus, the States to which most credits were to be given really had a larger proportion of men left than those to which deficiency should be charged.

The main object was to apportion the number among the States so that those previously furnished and those to be furnished would make a given part of their available men, and not a given part of their population, and this object was successfully accomplished.

A consolidation and recapitulation of final reports of the draft, so far as received up to November 1, is appended. The examination of drafted men is still in progress. Up to the 1st of November the

draft had brought into service about 50,000 men, including those who enlisted and were credited on the quotas after the draft had been ordered.

The enrollment of the forces of the United States necessarily included aliens and persons disqualified, for various reasons, for military duty, because the enrolling officer was not authorized to omit any one between the ages of twenty and forty-five. The draft was made from the lists thus composed; hence, many persons drafted were excused, thus rendering the proportion of those who were held small as compared with those exempted. This result would have been avoided and larger proportion of troops would have been secured if the law had required the correcting of the enrollment previous to the draft; but this would have delayed the draft.

Statistics relating to the draft in the districts where it had been completed on the 1st of November, and a comparison of them with those on similar subjects in other countries, have been prepared under my direction, and appear in a report to me from Lieutenant-Colonel Coolidge, medical inspector, accompanied by tables and appended to this report. These tables and other information have led to some modification of the list of diseases, &c., which disqualify men for military service, and the modified list has been put in force.

From these tables it will be seen that the ratio of rejections for mental and physical infirmities in the United States, France, and Great Britain, for the period stated, were as follows:

	Ratio rejected per 1,000.
United States:	
1863	319.1
France:	
1831 to 1843	324.4
1859	317
Great Britain:	
1842 to 1852	336
1860	318
1861	451

On this subject I also append the report of the board of medical officers, upon which the present regulations regarding the physical examination of drafted men were based, and also a report from the New York Academy of Medicine, and letters from gentlemen of high standing in the medical department.

RESISTANCE TO THE DRAFT.

The draft was forcibly resisted in New York, Boston, and Troy. The riots in the last two cities were but feeble responses to the great effort made in the first to defeat the execution of the enrollment act. The resistance in Boston was promptly suppressed by the local authorities. The steps taken by this Bureau to conduct its business fairly and justly, and to secure the aid of the State officers in making the enrollment and draft, formed the subject of a special report to you, dated August 10, to which reference is had. On Saturday, the 11th of July, the draft commenced in the city of New York. On Monday, the 13th, it was broken up by a mob composed mainly of foreigners. The headquarters of two of the provost-marshals were burned and the public property (excepting the records) was destroyed. The results of this riot and condition of affairs in the State of New York made

it impracticable to resume the draft in that city until the 19th of August, when troops were sent there from the armies in the field. It was then effected without further difficulty.

CIVIL TRIBUNALS.

Many writs of habeas corpus have been served upon the officers of this Bureau. The practice in regard to those issued by U. S. courts has been to obey the writs and abide the judgment of the court. In the cases of like writs issued by State courts, the practice has been in accordance with the opinion of the Hon. William Whiting, Solicitor of the War Department, announced in Circular No. 36 from this office, requiring the officer on whom the writ was served to make return denying the jurisdiction of the State courts, and declining to produce the person held. The courts in many cases still claiming jurisdiction, regarded the officer making the return as guilty of contempt. This condition of things imposed upon the officers of this Bureau difficult and embarrassing labors, and interfered materially with the successful performance of their legitimate duties.

A further obstacle was met in civil courts assuming jurisdiction in cases of claims for exemption from military duty. Section 14 of the enrollment act says:

> * * * All persons drafted and claiming exemption from military duty on account of disability or any other cause shall present their claims to be exempted to the Board, whose decision shall be final.

The statute thus made the Board of Enrollment the special and only tribunal before which claims for exemption could be tried, wisely prescribing that the decision of the Board should be final. But notwithstanding this, certain judges assumed jurisdiction in cases of claims for exemption, both before and after the boards had given final decision on them, as required by the statute. According to the opinions of these judges there was practically no finality in the examination of drafted men, unless they were all exempted by the boards. In one instance, during the daily examinations of drafted men, a judge ordered the records of the Board of Enrollment to be delivered to him in court. The order was not obeyed, inasmuch as obedience to it would have been a violation of the law, and might have delayed for an indefinite period the business of the Board in that district.

The action of the civil courts in the foregoing particulars threatened for a time in several districts to defeat, or at least to suspend, the business of raising troops and of arresting deserters, and either to throw the officers of this Bureau into custody or keep them so constantly before the courts as to prevent their attendance upon the duties for which they were appointed, and thus to defeat the raising of an army according to the law. These difficulties were substantially terminated by the proclamation of the President, dated September 17, suspending the privilege of the writ of habeas corpus in certain classes of cases.

Another method appeared in Pennsylvania to obstruct the draft by means of a bill in chancery; and an injunction was granted by a majority of the supreme court of that State, which, however, has been ordered to be disobeyed.

EXEMPTIONS.

The actual effect of the different causes of exemption in the present draft, as far as it has been completed, is shown in exhibit herewith.

Measures intended to remedy such defects in the law as experience has developed are in process of preparation and will be submitted when required.

I recommend that the $300 clause, as it is known, be abolished or limited to the cases of those whose religious creed, like that of Quakers, will not permit them to bear arms, but who certainly cannot be conscientiously opposed to contributing in this mode to the support of the Government which protects them, though it may be driven to take up arms in doing so.

COMMUTATION MONEY.

Collectors of internal revenue were appointed in the different districts to receive commutation money.

Ten million five hundred and eighteen thousand dollars have been received from 35,060 drafted men exempted by paying $300 each. The statements annexed show the condition of this fund. The reports of the boards of enrollment, who have no control over the money, show the number of drafted men who, up to November 1, had presented receipts from collectors of internal revenue for $300 each, and to whom, upon this evidence, they had granted exemption. The receipts in each case—making the collector of internal revenue responsible for the amounts paid in—have been forwarded to this Bureau by the boards of enrollment, and certificates of deposit procured by the collectors from the U. S. depositaries with whom they have deposited the funds weekly (which certificates of deposit have been received in this Bureau) show that the collectors have promptly deposited the funds received.

The commutation money from the draft constitutes a substitute fund, and is now being used to procure recruits for old organizations and as bounties to promote the re-enlistment of veteran volunteers still in service. Weekly returns of this fund are made to the Treasury Department, showing the collectors through whom it is received, the U. S. depositories in which it is placed, and the amounts disbursed and remaining on hand.

VOLUNTEER RECRUITING SERVICE.

The results of the volunteer recruiting service between January 1 and November 1, 1863, are shown by a tabular statement herewith.

It is probable that large re-enforcements will be obtained under the President's call of October 17, 1863, for 300,000 volunteers. If Congress should at an early day amend the enrollment act as proposed, the prospect of getting volunteers will be greatly improved, and the certainty of getting men by draft, if volunteering should fail, will be established.

It is recommended that $300 bounty be paid to raw recruits for old organizations and $400 to veterans. The present pay and bounty of the soldier do not compete with the wages paid throughout the country. Procuring volunteers will be better effected by increasing the bounty than by increasing the pay.

Eighty-three thousand two hundred and forty-two volunteers were received into the U. S. service between January 1 and November 1, 1863; 68,243 of these being enlisted for three years or the war.

DESERTERS AND ABSENTEES.

Nearly 22,000 deserters and absentees have been apprehended by the officers of this Bureau between the 1st of May and the 1st of November.

The number of deserters in October is not yet known; it is probably less than in September. Assuming, however, that it is the same, it is found that the number who deserted and absented themselves in September and October is but one-half as great as the number in May and June. This diminution is attributable to the increased probabilities of arrest, and to the punishments recently inflicted upon deserters. Continued success in the arrest of deserters, and adequate punishments, will, I think, reduce the evil of desertion to small proportions.

THE INVALID CORPS.

The first steps taken toward organizing the Bureau of the Provost-Marshal-General showed the necessity for a military force for special service in the Bureau. The law prevented calling out and organizing as a reserve corps, or home guards, the men in part or whole of the second class. The organization, therefore, of men who had been in service and become unfit for further field duty was resorted to, and was commenced, by your approval of my report on this subject, dated April 17. General Order 105, dated April 28, announces the principles upon which the organization has been conducted. The objects to be accomplished by creating the corps were:

First. To secure the military services, for garrison, hospital, and provost duty, of that class of deserving officers and men who, from wounds received in action or disease contracted in service, were unfit for further duty in the field, and who would otherwise be discharged from the service, but yet were able to do light duty, and to bring back for like purposes those who had been previously discharged on similar grounds and were still unfit for active duty and not liable to draft.

Second. To provide honorable and useful occupation and suitable compensation for a class of persons whose claims upon the nation no one can question.

Men who have become disabled in the military service of the country are thus supported by the Government; they take the places, in the interior, of troops fit for the field, and so strengthen the active armies, and, though more or less disabled, they earn, and have the satisfaction of feeling that they earn, the compensation bestowed upon them, and by their position in this corps of honor the pride and soldierly spirit which produced their battle scars is fostered and protected by giving them useful and honorable employment, instead of leaving them inactive and in want, a burden to themselves and to the community.

The corps on 1st of November consisted of 491 commissioned officers and 17,764 enlisted men. This force is organized as infantry, composing 203 companies. One hundred and sixty of these companies have been formed into sixteen regiments. The remainder are not yet formed into regiments, but soon will be.

Each regiment contains six companies of the First Battalion and four companies of the Second Battalion. The first battalions are armed with muskets and perform garrison duty; the second battalions are armed with swords and pistols and are on hospital duty, as guards, cooks, clerks, nurses, attendants, &c. It is designed, in having the regiments composed of companies of both first and sec-

ond battalions, to enable each regiment to afford proper material at any point where it may be stationed for both garrison and hospital duty.

The corps is now in the full performance of the duties for which it was organized—duties which would otherwise have to be performed by able-bodied soldiers, and thus, though the individuals of which it is composed are unfit for field service, the Army is as much strengthened as it would have been by an acquisition of the same number of men fit for active duty.

The officers have been selected on the recommendation of the military superiors under whom they served in the field, and are assigned to duty without regard to the States from which they were appointed. Men are assigned to companies in a similar manner.

DISBURSEMENTS.

Disbursing officers on duty in the Bureau in this city pay by checks all the accounts of the Bureau of the Provost-Marshal-General.

Up to November 1 the total amount paid was	$1,190,892.41
Accounts unpaid having been returned for correction	348,623.53
Total expenses of the Bureau to November 1	1,539,015.94

This does not include the pay of the provost-marshal, commissioner, and surgeon of each district, as they are paid by the Pay Department. Including this, increases the expenditures by $402,944.22.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

Appendix to the Provost-Marshal-General's report, November 17, 1863.

No. 1.*

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No. 2.†

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WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., November 5, 1863.

Col. JAMES B. FRY, U. S. Army,
Provost-Marshal-General, Washington, D. C.:

COLONEL: In obedience to your instructions I have examined and tabulated all the final returns received at this office from surgeons of boards of enrollment up to the 31st of October, 1863.

These returns show the number drafted in each district and the number rejected as physically or mentally unfit for military service, with the specific causes of rejection. For the numbers "examined" I have had recourse to the provost-marshals' returns, as only two of the reports from surgeons gave that information. These returns are in some instances incomplete and do not cover the whole period embraced in the reports made by surgeons, so that the numbers reported as "rejected" do not correspond in the two returns, and the

*See Fry to Stanton, August 10, p. 657, beginning with the sentence "In relation to the enrollment," &c., and concluding with "many who were omitted in the State lists."

†See Fry to Stanton, October 19, p. 893.

ratios of rejections in Table No. 1 are consequently too high. I have therefore prepared, as an appendix to Table No. 1, a statement of the numbers examined and rejected for physical disability, compiled from the reports of the provost-marshals.

The tabular statements herewith submitted are:

Table No. 1, showing the statistics of rejections for each district, arranged according to the paragraphs of the official list of disqualifying infirmities.

Table No. 2 gives the relative ratios of rejections per thousand examined in the United States, France, and Great Britain.

Table No. 3 gives the statistics of rejections for classes of diseases, arranged in groups corresponding to the paragraphs in the official list of disqualifying infirmities.

Table No. 4 shows the statistics of rejections for certain specific diseases in each district.

Table No. 5 exhibits the ratios of rejections for certain specific diseases and infirmities in the United States, Great Britain, and France.

Table No. 6 gives the statistics of examinations and rejections in Great Britain for ten years, from April 1, 1842, to March 31, 1852.

Table No. 7 gives the statistics of examinations and rejections in France for thirteen years, from 1831 to 1843.

Although the general results exhibited by those tables compare very favorably with the English and French statistics, the data are by no means sufficient to warrant the deduction of positive conclusions respecting the physical condition of our people. It is to be remembered that these statistics show the result of the first enrollment and draft of our citizens; that the draft took place after two years of war, during which time over 1,000,000 of men had been in the military service, and nearly 200,000 discharged for physical disability, many of whom, as the reports show, were subsequently drafted. It is also to be considered that the physical examinations were made by surgeons in civil life, resident in the several districts, so that the tendency would be to exempt all who had a probable cause for rejection under the regulations.

I believe that the statistics warrant the following deductions:

First. That the official list of disqualifying diseases and infirmities is judicious, and based upon sound experience, and that any material reduction thereof would be unwise. On the contrary, the statistical evidence is that in some particulars the list is too exclusive and rigid. See, for example, the comparative rejections for varicose veins and varicocele in Table No. 5.

Second. That, as a general rule, the surgeons have performed their duty according to the regulations.[a] The exceptions, judging from statistical results, are found in the too liberal construction of paragraphs 4 (acute and organic diseases of internal organs) and 37 (wounds, fractures, and diseases of bones), which are general in their character; and also of paragraphs 5 and 22 (confirmed consumption, loss of teeth), which are specific.

I would, therefore, recommend that the qualifying sentences of paragraphs 4 and 37 be amended, so as to require that the diseases and injuries therein enumerated should be sufficient in degree and so well marked as to leave no doubt of the man's unfitness for the military service.

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[a] Since writing the above one report has been received in which there are a number of rejections for infirmities which are not included in the official list of disqualifications.

Paragraph 5 (confirmed consumption) should express the fact that a tendency to consumption, or incipient consumption, does not exempt; and paragraph 22 should be so worded as to diminish the number of rejections for loss of teeth.

These proposed alterations, with some minor modifications and changes in the number and order of the paragraphs of the official list, so as to facilitate the classification and enhance the value of the statistical returns, are herewith submitted for your consideration.

Very respectfully, your obedient servant,

R. H. COOLIDGE,
Medical Inspector, U. S. Army.

TABLE No. 1.—*Showing the number of drafted men rejected as "physically or mentally unfit for the service," arranged according to the accompanying official list of disqualifying diseases or infirmities.*

State.	District.	Number drafted.	Number examined.	Paragraph 1.	Paragraph 2.	Paragraph 3.	Paragraph 4.	Paragraph 5.	Paragraph 6.	Paragraph 7.	Paragraph 8.	Paragraph 9.	Paragraphs 10 and 11.	Paragraph 12.
Maine	Fourth	2,933	2,311	18	19	3	158	50	7	58	29	....	16	....
Do	Fifth	3,285	2,943	5	18	4	187	20	3	175	18	1	18	....
Vermont	Second	2,645	2,554	21	18	4	80	46	10	183	8	....	4	....
Massachusetts	Eighth	2,905	2,653	25	20	....	64	37	4	168	6	....	13	1
Rhode Island	First	2,971	2,728	30	24	6	164	....	13	101	19	6	9	....
New York	Seventeenth	2,730	2,196	7	17	5	43	40	4	90	9	....	4	....
Do	Twentieth	3,649	(a)	14	42	3	175	96	3	34	7	2	4	1
Do	Twenty-second	3,102	2,702	12	37	15	48	40	5	91	26	1	9	....
Do	Twenty-fourth	3,383	3,110	15	24	8	187	3	7	80	32	3	3	4
Do	Twenty-ninth	2,649	2,424	16	29	2	195	52	5	105	12	4	24	9
Pennsylvania	Fifth	2,983	2,328	14	24	4	103	1	2	24	9	2	13	2
Do	Nineteenth	3,387	3,053	15	29	2	106	48	....	37	5	1	9	2
Do	Twenty-first	2,873	2,622	29	21	6	50	56	6	134	16	....	23	....
Do	Twenty-third	2,920	2,608	6	18	5	75	44	....	60	16	....	9	1
Do	Twenty-fourth	2,995	2,665	19	18	6	107	11	2	76	10	....	23	2
Total		45,416	36,897	256	358	73	1,751	544	71	1,416	222	20	181	22

State.	District.	Number drafted.	Number examined.	Paragraph 13.	Paragraph 14.	Paragraph 15.	Paragraph 16.	Paragraph 17.	Paragraph 18.	Paragraphs 19 and 20.	Paragraph 21.	Paragraph 22.	Paragraph 23.	Paragraph 24.
Maine	Fourth	2,933	2,311	14	27	1	16	3	....	....	6	6	....	1
Do	Fifth	3,285	2,943	2	15	....	18	....	1	....	1	22	....	....
Vermont	Second	2,645	2,554	35	19	....	24	....	....	....	3	87	....	....
Massachusetts	Eighth	2,905	2,653	10	22	....	9	....	1	....	6	129	....	....
Rhode Island	First	2,971	2,728	27	35	....	11	....	1	....	5	78	....	....
New York	Seventeenth	2,730	2,196	....	53	1	19	1	....	....	6	14	....	1
Do	Twentieth	3,649	(a)	21	41	....	26	....	....	....	10	58	1	2
Do	Twenty-second	3,102	2,702	30	17	....	16	....	....	....	3	52	1	2
Do	Twenty-fourth	3,383	3,110	43	14	5	10	....	1	....	10	107	2	....
Do	Twenty-ninth	2,649	2,424	31	31	1	21	....	2	....	7	101	....	2
Pennsylvania	Fifth	2,983	2,328	....	48	....	25	2	....	....	4	63	....	....
Do	Nineteenth	3,387	3,053	17	15	1	17	....	....	....	3	31	....	....
Do	Twenty-first	2,873	2,622	12	17	....	18	....	....	....	4	53	....	....
Do	Twenty-third	2,920	2,608	19	24	1	17	....	....	....	4	74	2	1
Do	Twenty-fourth	2,995	2,665	17	29	3	10	2	....	....	6	34	1	1
Total		45,416	36,897	278	407	13	257	8	6	....	78	907	7	11

a Incomplete.

TABLE NO. 1.—*Showing the number of drafted men rejected as "physically or mentally unfit for the service, etc.—Continued.*

State.	District.	Number drafted.	Number examined.	Paragraph 25.	Paragraph 26.	Paragraph 27.	Paragraph 28.	Paragraph 29.	Paragraph 30.	Paragraphs 31 and 32.	Paragraph 33.	Paragraph 34.	Paragraph 35.	Paragraph 36.
Maine	Fourth	2,933	2,311	15	6	78	1	9	....	1	5	13	13	4
Do	Fifth	3,285	2,943	12	....	95	12	20	....	....	2	19	....	....
Vermont	Second	2,645	2,554	....	16	138	3	3	....	4	2	10	17	7
Massachusetts	Eighth	2,905	2,653	17	80	93	....	5	....	2	....	9	8	....
Rhode Island	First	2,971	2,728	18	13	70	3	8	1	2	2	12	11	11
New York	Seventeenth	2,730	2,196	....	10	49	2	3	1	....	3	7	7	....
Do	Twentieth	3,649	(a)	4	23	171	2	....	1	6	6	1	8	4
Do	Twenth-second	3,102	2,702	11	30	72	1	11	1	3	2	21	9	6
Do	Twenty-fourth	3,383	3,110	17	52	122	7	10	2	3	15	5	....	9
Do	Twenty-ninth	2,649	2,424	10	....	88	....	7	....	3	3	11	5	....
Pennsylvania	Fifth	2,983	2,328	2	....	91	1	5	....	2	....	20	21	4
Do	Nineteenth	3,387	3,053	....	....	97	1	10	....	1	1	3	....	1
Do	Twenty-first	2,873	2,622	....	....	50	....	9	....	8	....	8	9	6
Do	Twenty-third	2,920	2,608	5	53	80	4	16	....	1	....	15	6	2
Do	Twenty-fourth	2,995	2,665	5	25	61	5	6	1	....	2	12	5	1
Total		45,416	36,897	111	308	1,355	43	122	7	36	43	166	119	54

State.	District.	Number drafted.	Number examined.	Paragraph 37.	Paragraph 38.	Paragraph 39.	Paragraphs 40 to 44.	Paragraphs 45 to 49.	Paragraph 50.	Paragraph 51.	Miscellaneous.	Number rejected.	Ratio per 1,000 of—	
													Drafted.	Examined.
Maine	Fourth	2,983	2,311	29	21	12	13	17	36	....	107	812	276.8	351.3
Do	Fifth	3,285	2,943	50	17	...	7	...	42	4	208	991	301.6	336.7
Vermont	Second	2,645	2,554	61	24	...	15	14	11	19	57	853	322.5	373.5
Massachusetts	Eighth	2,905	2,653	75	7	...	34	2	16	4	51	918	316.0	346.0
Rhode Island	First	2,971	2,728	65	10	7	19	22	19	5	77	897	301.9	328.8
New York	Seventeenth	2,730	2,196	99	28	2	21	26	20	2	45	639	234.0	290.9
Do	Twentieth	3,649	(a)	45	39	2	29	22	12	5	13	935	256.5	....
Do	Twenty-second	3,102	2,102	75	27	...	37	22	9	13	....	755	243.3	279.4
Do	Twenty-fourth	3,383	3,110	166	29	...	36	47	23	44	26	1,170	346.5	376.2
Do	Twenty-ninth	2,649	2,424	171	72	...	30	81	14	16	37	1,197	451.8	493.8
Pennsylvania	Fifth	2,983	2,328	66	24	...	22	13	21	21	72	725	243.0	311.4
Do	Nineteenth	3,387	3,053	70	98	26	32	18	16	12	24	748	220.8	245.0
Do	Twenty-first	2,873	2,622	62	3	8	20	15	7	6	....	665	231.4	253.6
Do	Twenty-third	2,920	2,608	58	54	3	14	25	15	5	41	773	264.7	296.3
Do	Twenty-fourth	2,995	2,665	89	23	...	16	18	12	8	25	691	230.7	259.1
Total		45,416	36,897	1,181	476	60	345	342	273	164	778	12,869	285.2	333.0

a Incomplete.

The numbers "examined," given in the foregoing table, are taken from the provost-marshals' reports (some of which are incomplete). the surgeons generally reporting only the numbers "drafted" and "rejected for physical disabilities." The ratios "of rejected" are more correctly given in the subjoined table, compiled from the provost-marshals' returns as far as received.

APPENDIX TO TABLE NO. 1.

State.	District.	Number examined.	Number rejected.	Ratio per 1,000.
Maine	Fourth	2,311	812	351.3
Do	Fifth	2,943	991	336.7
Vermont	Second	2,554	939	367.6
Massachusetts	Eighth	2,653	887	334.3
Rhode Island	First	2,728	897	328.8
New York	Seventeenth	2,196	638	290.5
Do	Twentieth	1,517	516	340.1
Do	Twenty-second	2,702	755	279.4
Do	Twenty-fourth	3,110	1,152	370.4
Do	Twenty-ninth	2,424	1,197	493.8
Pennsylvania	Fifth	2,328	693	297.6
Do	Nineteenth	3,053	673	220.4
Do	Twenty-first	2,622	658	250.9
Do	Twenty-third	2,608	770	295.2
Do	Twenty-fourth	2,665	680	255.1
Total		38,414	12,258	319.1

TABLE NO. 2.—*Showing the ratios of exemptions from military service for mental and physical infirmities in the United States, France, and Great Britain.*

Country.	Year.	Number examined.	Number rejected.	Ratio rejected per 1,000 examined.
United States	1863	38,414	12,258	319.1
France	1831-1843	2,097,876	680,560	324.4
	1850	200,926	63,320	317.0
Great Britain	1842-1852	171,276	57,381	335.0
	1860	16,799	5,346	318.0
	1861	7,993	3,605	451.0
Average ratio of rejections per 1,000 examined				344

TABLE NO. 3.—*Showing the specific causes of rejection, grouped according to the official list of disqualifying diseases and infirmities, with the numbers and the ratios rejected for each class.*

Number examined, 38,414.

Cause of rejection.	Total rejected.	Ratio rejected per 1,000 examined.
1. Manifest imbecility or insanity	256	6.6
2. Epilepsy	358	9.3
3. Paralysis and chorea	73	1.9
4. Acute or organic diseases	1,751	45.5
5. Confirmed consumption; cancer; aneurism	544	14.1
6. Inveterate and extensive diseases of the skin	71	1.8
7. Decided feebleness of constitution, natural or acquired	1,416	36.8
8. Scrofula; constitutional syphilis	222	5.7
9. Habitual or confirmed intemperance, or solitary vice	20	.5
10, 11. Rheumatism; pain	181	4.7
12. Great injuries or diseases of the skull	22	.5
13, 14. Loss of sight; loss of sight of right eye; diseases of the eyes	685	17.8

TABLE NO. 3.—*Showing the specific causes of rejection, grouped according to the official list of disqualifying diseases and infirmities, &c.*—Continued.

Cause of rejection.	Total rejected.	Ratio rejected per 1,000 examined.
15. Loss of nose; deformity of the nose; ozæna	13	.3
16. Complete deafness; purulent otorrhœa	257	6.8
17, 18, 19, 20, 23. Dumbness, permanent loss of voice; diseases and deformities of jaws and tongue.	21	.5
21. Stammering, excessive and confirmed	78	2.0
22. Loss of a sufficient number of teeth to prevent mastication of food	907	23.6
24. Tumors of the neck; fistula of the larynx; torticollis	11	.3
25, 26. Deformity of the chest; deficient amplitude of chest	419	10.9
27. Hernia	1,317	35.2
27. Abdomen grossly protuberant; excessive obesity	38	1.0
28, 29. Diseases of the rectum and anus; old and ulcerated internal piles	165	4.3
30, 31, 32 Diseases of the penis; incontinence of urine; stone in the bladder	42	1.1
33, 34. Diseases and injuries of the testicle	175	4.5
34. Varicocele	34	.8
35. Curvatures and caries of the spine	119	3.1
36. Loss of an arm, forearm, hand, thigh, leg, or foot	54	1.4
37, 38, 39. Wounds; fractures; dislocations: diseases of the bones; muscular contractions and tumors.	1,717	44.6
40, 41, 42, 43, 44. Loss of thumbs and fingers; deformities of hands and fingers	345	8.9
45, 46, 47, 48, 49. Deformities of feet and toes; loss of toes	342	8.9
50. Varicose veins of inferior extremities	273	7.1
51. Chronic ulcers; extensive, deep, and adherent cicatrices of lower extremities	164	4.2
52. Miscellaneous	778	20.2

TABLE NO. 4.—*Showing the numbers examined in each district and rejected for certain diseases and infirmities, with the ratios rejected for each disease per 1,000 examined.*

State.	District.	Number examined.	Imbecility.	Insanity.	Epilepsy.	Diseases of brain and spinal cord.	Diseases of heart.			Diseases of lungs.				
							Organic.	Functional.	Inflammatory.	Asthma.	Bronchitis.	Pleuritis.	Hemorrhage.	Miscellaneous.
Maine	Fourth	2,311	18	....	19	5	12	....	45	17	18	10	12	5
Do	Fifth	2,943	5	....	18	4	32	1	1	....	4	1	....	85
Vermont	Second	2,554	29	2	18	5	37	20	....	4	....	1	....	6
Massachusetts	Eighth	2,653	15	10	20	....	30	....	2	....	....	....	3	1
Rhode Island	First	2,728	22	8	24	6	....	84	....	15	....	....	1	44
New York	Seventeenth	2,196	7	....	17	1	7	....	1	6	2	1	3	....
Do	Twentieth	1,517	7	7	42	....	107	....	4	24	2	....	....	13
Do	Twenty-second	2,702	6	6	37	3	22	....	....	6	....	....	....	....
Do	Twenty-fourth	3,110	9	6	24	1	....	32	....	....	....	....	....	101
Do	Twenty-ninth	2,424	11	5	29	4	73	....	5	33	....	....	12	19
Pennsylvania	Fifth	2,328	14	....	24	1	....	25	....	3	....	....	....	53
Do	Nineteenth	3,053	13	2	29	....	80	....	....	5	....	....	....	....
Do	Twenty-first	2,622	20	9	21	4	19	2	2	4	11	....	....	1
Do	Twenty-third	2,608	6	....	18	1	50	....	2	....	1	....	....	2
Do	Twenty-fourth	2,665	10	9	18	3	20	....	....	7	12	....	5	42
Total		38,414	192	64	358	38	489	164	62	124	50	13	36	377
Ratio rejected per 1,000 examined.		....	4.99	1.66	9.31	.98	12.72	4.26	1.67	3.22	1.30	.33	.92	9.81

ABLE No. 4.—*Showing the numbers examined in each district and rejected for certain diseases and infirmities, with the ratios rejected for each disease per 1,000 examined*—Continued.

State.	District.	Number examined.	Diseases of stomach and intestines.	Diseases of liver.	Diseases of spleen.	Diseases of kidneys.	Diseases of bladder.	Consumption.	Total loss of sight.	Loss of sight of right eye.	Near-sightedness, very decided.
[aine	Fourth	2,311	12	14	.....	8	.....	50	.....	14	5
Do	Fifth	2,943	18	30	2	6	3	18	.....	2	7
ermont	Second	2,554	.....	.....	.....	7	.....	45	.....	.....	12
[assachusetts	Eighth	2,653	18	.....	.....	7	3	37	.....	10	3
hode Island	First	2,728	4	2	.....	5	3	.....	.....	27	22
ew York	Seventeenth	2,196	9	7	.....	5	1	40	.....	.....	8
Do	Twentieth	1,517	6	1	.....	3	1	94	.....	13	17
Do	Twenty-second	2,702	2	8	.....	3	4	40	4	26	10
Do	Twenty-fourth	3,110	5	23	4	18	3	3	.....	.....	3
Do	Twenty-ninth	2,424	20	12	5	8	3	52	.....	27	18
ennsylvania	Fifth	2,328	12	5	.....	4	.....	.....	.....	.....	7
Do	Nineteenth	3,053	5	10	.....	6	.....	47	.....	16	7
Do	Twenty-first	2,622	8	.....	.....	7	1	55	.....	8	5
Do	Twenty-third	2,608	7	4	3	5	.....	43	.....	.....	8
Do	Twenty-fourth	2,665	13	1	1	4	.....	8	.....	15	5
Total	.....	38,414	139	117	15	96	22	582	4	158	136
Ratio rejected per 1,000 examined.	.....	.....	3.61	3.04	.39	2.49	.57	13.84	.10	4.11	3.54

State.	District.	Number examined.	Other diseases of the eyes.	Hernia.	Obesity, excessive.	Varicocele.	Loss of thumb, partial and total.	Loss of index finger, right hand.	Other deformities of the hands.	Loss of great toe.	Other deformities of the feet.
Maine	Fourth	2,311	22	76	2	1	5	2	6	4	13
Do	Fifth	2,943	8	90	5	3	.....	.....	7	.....	.....
Vermont	Second	2,554	42	136	2	4	.....	.....	15	.....	14
Massachusetts	Eighth	2,653	20	89	3	5	4	1	29	2	.....
Rhode Island	First	2,728	13	65	5	.....	.....	8	11	.....	22
New York	Seventeenth	2,196	45	49	.....	1	3	2	16	6	20
Do	Twentieth	1,517	32	171	.....	.....	5	.....	24	8	14
Do	Twenty-second	2,702	7	66	6	6	4	.....	33	.....	23
Do	Twenty-fourth	3,110	54	114	8	.....	13	.....	23	.....	47
Do	Twenty-ninth	2,424	17	84	4	.....	6	13	11	9	72
Pennsylvania	Fifth	2,328	41	91	1	.....	5	.....	17	.....	13
Do	Nineteenth	3,053	9	97	.....	1	6	11	15	7	11
Do	Twenty-first	2,622	16	50	.....	.....	.....	.....	20	5	10
Do	Twenty-third	2,608	35	80	.....	7	2	.....	12	1	24
Do	Twenty-fourth	2,665	26	59	2	7	2	2	12	2	16
Total	.....	38,414	387	1,317	38	34	55	39	251	44	298
Ratio rejected per 1,000 examined.	.....	.....	10.07	34.28	.98	.88	1.43	1.01	6.53	1.45	7.75

TABLE NO. 5.—*Showing the ratios of rejections for certain diseases and infirmities in the United States, Great Britain, and France.*

Cause of rejection.	United States, 1863.	Great Britain.		France.
		1860.	1861.	1831-1845
Imbecility	4.99	2.20	0.50	.....
Epilepsy	9.31	.....	.....	1.91
Diseases of the brain and spinal cord	.98	.71	.62	.....
Diseases of the heart	18.59	12.86	25.52	.....
Diseases of the lungs	15.58	1.79	1.13	.....
Consumption	13.84	2.26	5.00	.....
Feeble constitution	36.80	31.73	41.78	34.09
Scrofula and syphilis	5.70	21.13	28.52	.....
Diseases of the skin	1.80	5.54	8.62	12.52
Diseases of the eyes (myopia included)	17.80	28.75	28.52	15.46
Myopia	3.54	.....	.....	4.69
Diseases of the ears and deafness	6.60	3.10	4.51	.....
Diseases of the nose and mouth	.80	.77	1.63	.....
Stammering	2.00	1.31	1.62	.....
Loss of teeth	23.60	9.52	7.76	8.52
Deformity and deficient size of chest and curvature of the spine	14.00	25.30	55.67	.....
Hernia a	34.28	11.79	14.89	24.39
Hemorrhoids	3.17	5.00	5.88	.....
Varicose veins	7.10	28.63	40.79	.....
Varicocele	.88	13.39	23.52	.....

NOTE.—This comparison is as complete as the different classifications in the English and French returns will admit.

a The English returns exempt in 1860, 6.13, and in 1861, 11.76 per 1,000, for laxity of abdominal rings, showing tendency to hernia.

TABLE NO. 6.—*Showing the causes of rejection of the recruits found unfit for service at the headquarters of each of the recruiting districts in Great Britain in the ten years from April 1, 1842, to March 31, 1852.a*

	London.	Bristol.	Coventry.	Liverpool.	Leeds.	Edinburgh.	Glasgow.	Cork.
Total examined	45,613	13,366	10,065	18,622	7,994	9,569	18,510	18,0[illegible]
Weak intellect	33	5	5	17	7	7	18	[illegible]
Unsound health, marks of treatment	1,266	322	191	408	260	456	690	[illegible]
Muscular tenuity, want of physical power	1,676	304	235	231	88	288	605	[illegible]
Affections of the eyes	1,243	240	148	353	159	225	272	[illegible]
Loss or decay of teeth	982	160	174	230	185	79	166	[illegible]
Deformity of the spine	901	106	133	298	134	145	264	[illegible]
Want of due capacity, or malformation of chest	1,308	258	213	634	187	279	578	[illegible]
Defective condition of the superior extremities	566	284	106	321	173	160	311	[illegible]
Hernia	847	171	72	177	103	84	203	[illegible]
Tendency to rupture from laxity of the groins	879	150	100	518	64	179	387	[illegible]
Varicose state of veins of the spermatic cord	1,473	340	157	600	270	201	428	[illegible]
Disease or injury of the testicles	248	92	21	94	56	124	108	[illegible]
Varicose state of veins of the lower extremities	1,162	279	214	1,192	339	506	1,214	[illegible]
Defective condition of the inferior extremities	1,532	760	339	656	375	426	915	[illegible]
Cicatrices, ulcers, wounds, and chronic diseases of the skin	757	189	155	344	285	330	688	[illegible]
Tendency to consumption	215	103	32	44	40	2	129	[illegible]
Diseases of the heart	256	38	21	112	17	76	112	[illegible]
Impaired hearing or deafness	186	47	15	46	32	24	14	[illegible]
Impediment of speech	105	29	13	33	8	13	31	[illegible]
Syphilis	295	81	81	106	120	127	174	[illegible]
Marks of corporal punishment	157	36	11	49	18	10	17	[illegible]
Marked with the letter D	87	22	17	41	15	13	22	[illegible]
All other causes	527	88	131	322	196	15	112	[illegible]
Total rejected	16,701	4,104	2,584	6,845	3,131	3,769	7,498	3,[illegible]

a Taken from report of the commissioners appointed to inquire into the regulations affecting the sanitary condition of the Army, the organization of military hospitals, and the treatment of the sick and wounded, &c. Published, London, 1858.

TABLE No. 6.—*Showing the causes of rejection of recruits found unfit for service at the headquarters of each of the recruiting districts in Great Britain in the ten years from April 1, 1842, to March 31, 1852*—Continued.

	Dublin.	Newry.	Total English districts.	Total Scotch districts.	Total Irish districts.	General total.	Ratio rejected per 1,000 examined.
Total examined	19,104	9,347	96,660	28,079	46,587	171,276	.....
Weak intellect	52	13	67	25	85	177	1.0
Unsound health, marks of treatment	680	225	2,447	1,136	1,050	4,633	27.1
Muscular tenuity, want of physical power	340	208	2,534	898	1,556	4,983	29.1
Affections of the eyes	340	68	2,143	497	585	3,225	18.8
Loss or decay of teeth	190	13	1,740	245	313	2,298	13.4
Deformity of the spine	129	148	1,572	409	432	2,413	14.1
Want of due capacity, or malformation of chest.	319	183	2,600	857	653	4,110	24.0
Defective condition of the superior extremities.	295	91	1,460	471	539	2,470	14.4
Hernia	73	72	1,370	287	303	1,960	11.4
Tendency to rupture from laxity of the groins.	397	51	1,711	566	653	2,930	17.1
Varicose state of veins of the spermatic cord	339	79	2,340	639	486	3,965	23.2
Disease or injury of the testicles	68	47	511	292	199	1,002	5.9
Varicose state of veins of the lower extremities.	1,032	257	3,186	1,720	1,769	6,675	39.0
Defective condition of the inferior extremities.	742	282	3,662	1,341	1,490	6,493	37.9
Cicatrices, ulcers, wounds, and chronic diseases of the skin.	621	138	1,780	998	1,227	3,955	23.2
Tendency to consumption	49	30	434	131	89	654	3.8
Diseases of the heart	140	55	444	188	201	933	5.5
Impaired hearing or deafness	19	6	326	38	33	397	2.3
Impediment of speech	27	18	188	44	67	299	1.7
Syphilis	140	29	683	301	231	1,215	7.1
Marks of corporal punishment	22	5	271	27	42	340	2.0
Marked with the letter D	30	7	182	35	42	259	1.5
All other causes	264	130	1,264	127	604	1,995	11.6
Total rejected	6,806	2,155	33,365	11,267	12,749	57,381	335.0

TABLE No. 7.—*Showing the number of young men exempted from military service on account of physical unfitness in France in each year from 1831 to 1843, inclusive, and specifying the various causes of exemption.* a

(Compiled from the Comptes rendus au Roi sur le Recrutement de l'Armée.)

	1831.	1832.	1833.	1834.	1835.	1836.	1837.	1838.
Total examined, exclusive of "rejected for want of height."	155,606	151,343	157,319	157,306	159,325	164,474	164,474	161,363
Loss of fingers	752	647	743	672	767	760	803	810
Loss of teeth	1,304	1,243	1,392	1,377	1,378	1,472	1,599	1,381
Deaf and dumb	830	736	725	581	506	540	542	562
Loss of members or organs other than those which are in the three preceding columns.	1,605	1,530	1,580	1,630	1,505	1,842	1,674	1,486
Goiters	1,125	1,231	1,298	1,435	1,496	1,522	1,351	1,361
Lameness	949	912	1,049	963	985	927	974	772
Deformities other than those in the two preceding columns.	8,007	7,630	8,494	8,921	9,179	10,053	9,699	9,885
Diseases of the bones	782	617	667	762	541	746	643	684
Myopia	948	891	920	890	783	768	679	670
Diseases of the eyes other than myopia.	1,726	1,714	1,839	1,763	1,857	1,811	1,716	1,664
Itch	11	10	10	4	10	8	11	13
Scurf	749	800	794	740	788	771	777	740
Leprosy	57	19	29	6	54	12	16	19
Diseases of the skin other than those in the three preceding columns.	937	983	895	1,031	1,073	1,424	1,304	1,231
Scrofulous vices	1,730	1,539	1,272	1,261	1,671	1,778	1,552	1,788

a Taken from report of the commissioners appointed to inquire into the sanitary condition of the British Army, &c. Published, London, 1858.

TABLE No. 7.—*Showing the number of young men exempted from military service on account of physical unfitness in France in each year from 1831 to 1843, inclusive, and specifying the various causes of exemption*—Continued.

	1831.	1832.	1833.	1834.	1835.	1836.	1837.	1838.
Diseases of the chest	561	423	359	417	496	679	737	781
Hernias	4,044	3,579	4,222	3,994	3,921	4,532	4,023	3,80
Epilepsy	463	367	342	307	277	272	276	28
Various other diseases	9,168	9,058	10,286	9,962	9,996	9,695	10,051	9,22
Feebleness of constitution	11,783	9,979	11,250	11,600	11,724	14,176	15,342	14,63
Total	47,531	43,908	48,175	48,316	49,009	53,788	54,569	51,62

	1839.	1840.	1841.	1842.	1843.	Total.	Ratio exempted per 1,000 examined.
Total examined exclusive of "rejected for want of height."	167,240	162,913	162,787	167,071	166,655	2,097,876	.....
Loss of fingers	919	806	688	804	772	9,943	4.5
Loss of teeth	1,326	1,373	1,273	1,335	1,454	17,907	8.5
Deaf and dumb	544	558	520	488	499	7,631	3.6
Loss of members or organs other than those which are in the three preceding columns.	1,662	1,606	1,723	1,739	1,699	21,281	10.2
Goiters	1,357	1,281	1,207	1,241	1,295	17,209	8.2
Lameness	813	789	848	794	957	11,712	5.5
Deformities other than those in the two preceding columns.	9,215	9,142	9,149	9,381	10,121	118,876	56.6
Diseases of the bones	712	796	768	693	723	9,144	4.3
Myopia	684	635	644	595	562	9,089	4.6
Diseases of the eyes other than myopia.	1,787	1,745	1,553	1,663	1,696	22,554	10.8
Itch	8	14	12	20	5	136	.06
Scurf	815	767	773	831	776	10,121	4.8
Leprosy	7	30	24	28	23	324	.15
Diseases of the skin other than those in the three preceding columns.	1,215	1,174	1,493	1,687	1,255	15,702	7.5
Scrofulous vices	1,922	1,709	1,870	2,010	2,034	22,136	10.6
Diseases of the chest	515	491	438	476	794	7,147	3.4
Hernias	4,174	3,554	3,693	3,922	3,856	51,314	24.5
Epilepsy	304	284	253	281	275	3,998	1.9
Various other diseases	10,242	8,937	9,047	9,332	9,105	124,963	59.6
Feebleness of constitution	19,366	18,395	18,903	20,932	20,711	198,804	94.8
Total	57,587	54,066	54,878	58,272	58,622	690,560	329.4

Proceedings of a board of medical officers convened at Washington City by the following order:

SPECIAL ORDERS, No. 163. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, April 9, 1863.*

* * * * * * *

A board of medical officers, to consist of Medical Inspector R. H. Coolidge, U. S. Army; Surg. Meredith Clymer, U. S. Volunteers; Asst. Surg. Roberts Bartholow, U. S. Army, will convene in this city on the 10th instant to prescribe rules for governing "boards of enrollment" in determining who shall be exempt from draft as physically or mentally unfit for the service.

* * * * * * *

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WASHINGTON, D. C., *April 15, 1863.*

The Board met pursuant to the foregoing order, and continued in session from day to day, except Sunday, until the final adjournment. During the first two days of the session of the Board, Medical Inspector R. H. Coolidge and Surg. Meredith Clymer only were present. Asst. Surg. Roberts Bartholow reported from general hospital, Fort Schuyler, and was present for duty on Monday, April 13. During the subsequent meetings of the Board all the members were present.

The Board very carefully, and as thoroughly as the terms of the law permitted, proceeded to prescribe rules for governing "boards of enrollment in determining who shall be exempt from draft as physically or mentally unfit for the service." Whilst profoundly impressed with the necessity of permitting no man to secure exemption from military duty who is mentally and physically qualified, they were equally solicitous to avoid encumbering the Army with useless recruits. Fortunately the performance of this duty was rendered less perplexing by the conviction that the interests of the Government and the necessities of individuals are identical. The list of disqualifying infirmities herewith submitted is large, and it will be seen that a regard for the effectiveness of the Army, as well as for diseased and disabled citizens, would not permit us to overlook those conditions which positively or relatively incapacitate men for the performance of military duty.

In the French military service, where the necessities of the State are held superior, the unwise admission of conscripts affected with various disqualifying infirmities has rendered it necessary, to avoid the great expense to the State of maintaining and discharging useless conscripts, to increase the number and variety of causes of disqualification.

In 1854 such was the number of conscripts of feeble constitution that the Emperor, on the 7th of March, 1856, addressed a letter to the Minister of War on the subject, in which he states that of the whole number passed, 5,694 were subsequently discharged for this cause, by which the treasury sustained a loss of 1,500,000 francs.

From 1831 to 1842 the mean average number of exemptions was annually 94,860, from which it results that, to secure the contingent of 80,000 men, not less than 174,860 young men were annually examined.

The "act for enrolling and calling out the national forces" does not establish the stature of drafted men. In this country and in Europe the minimum height is generally fixed by the Minister of War; and in our service the stature of the recruit is not determined by the surgeon, but by the recruiting officer. The Board has therefore hesitated to incorporate in its synopsis of disqualifications any rule concerning stature. The subject is an important one. In the Army of the United States the minimum standard height of five feet eight inches for artillery and five feet six inches for infantry, in 1825, has been gradually reduced, until now it is fixed at five feet three inches. The minimum standard height of the Roman soldier was five feet two and one-fourth inches, and the present standard of the British and French armies is, respectively, five feet five inches and five feet one and one-half inches.

The Board think it would be unwise to lower the present standard, and injudicious to leave boards of enrollment without a definite rule of action.

Although the maximum standard height has not hitherto been made

a subject of regulation, the physiological and hygienic reasons therefor are as potent as those fixing the minimum standard.

The Board therefore respectfully recommend that the following paragraph be added to the list of disqualifications:

52. Stature: If the height of the drafted man be greater than six feet four inches, or less than five feet three inches, he is disqualified for military service. The height, in all doubtful cases, to be determined by accurate measurement, the recruit being made to stand erect on his bare feet, and care being taken that he neither increases nor lessens his stature by voluntary effort. Weight: The minimum, 110 pounds; maximum, 220 pounds.

* * * * * * *

NOTE 1.—Here followed the list of disqualifying diseases, and directions for examining drafted men as published in Regulations.

R. H. COOLIDGE,
Medical Inspector, U. S. Army.
MEREDITH CLYMER,
Surgeon, U. S. Volunteers.
ROBERTS BARTHOLOW,
Asst. Surg., U. S. Army, Recorder of the Board.

—

Report of a committee of the New York Academy of Medicine, appointed at the meeting held October 8, 1863, with power to consider the list of diseases and infirmities which disqualify drafted men for the military service of the United States, as contained in the Regulations for the Government of the Bureau of the Provost-Marshal-General.

The committee, consisting of Gurdon Buck, M. D., Prof. Willard Parker, M. D., Profs. A. C. Post, M. D., W. Detmold, M. D., Valentine Mott, M. D., A. H. Stevens, M. D., J. W. Draper, M. D., Austin Flint, M. D., W. H. Van Buren, M. D., and John Ordroneoux, M. D., met, pursuant to call, on Monday, October 12, Dr. Gurdon Buck, chairman, and Doctor Van Buren, secretary, and proceeded to examine the list of disqualifications by paragraphs, with the following result in suggestions and recommendations for alterations, viz:

Paragraph 1 recommended to be altered to "Insanity, or manifest imbecility." (This is designed to include well-established previous insanity, with liability to recurrence.)

Paragraph 2. That last two words, "a convulsion," be altered to "the disease." (A case is known to the committee in which the only physician who had actually witnessed a convulsion had left the country.)

Paragraph 6. To insert "such as" in place of "which." (Renders meaning less obscure.)

Paragraph 14. To insert "granular lids" after "chronic ophthalmia."

Paragraph 16. To substitute "decided" for "complete," and insert "chronic" before "purulent otorrhœa."

Paragraph 25. To add "or sternum."

Paragraph 27. To omit all after "hernia." (As it stands it might be inferred that umbilical or ventral hernia were not disqualifying causes.)

Paragraph 34. To omit "and cirsocele," and to substitute "is" for "are."

Paragraph 35. Recommended to substitute "excessive curvature" for "excessive anterior or posterior curvature." (This would include also excessive lateral curvature.)

Paragraph 43. To substitute "second and third" for "first and second."

Paragraph 47. To substitute for the paragraph "overriding or malposition involving all the toes."

Paragraph 50. To omit "having clusters of knots, and."

On motion, it was unanimously

Resolved, That the committee, apart from the alterations above suggested, fully approves the list of disqualifications, regarding its provisions as humane, judicious, and based upon the soundest experience.

Also resolved, That the secretary of the committee he instructed to forward a minute of the proceedings of this meeting to the Surgeon-General of the U. S. Army for the use of the Provost-Marshal-General.

GURDON BUCK, M. D.,
President of the Committee.
WM. H. VAN BUREN, M. D.,
Secretary.

—

Extract of a letter from Dr. Henry I. Bowditch.

BOSTON, *August 25, 1863.*

MY DEAR SIR: If I have seemed dilatory in answering your letter it is because I wanted to think carefully before writing.

The more I consider the matter, and the more I place the questions before my professional brethren, the less do we find to diminish the number of causes of disability. If the Government wants "able-bodied" men, it will have to hunt for them now, especially since the process of drafting has commenced.

* * * * * * *

I have, at your request, jotted down a few suggestions on your present list of disabilities. I will now name them:

No. 6. I should make more definite as to amount of and character of the disease, parts affected, contagiousness or not; whether scaly or otherwise. Psoriasis, of course less offensive than eczema or impetigo, &c.

11. Query: If severe periodically occurring "sick headaches" and vomiting should afflict a man, should it not be allowed?

13. I should say the loss of either eye ought to exempt.

14. Myopia will plague the examining surgeon more than anything else. Doctor Derby (my expert) writes that he thinks a vast number will escape who ought to go; and, vice versa, others will go who will shoot at a bluecoat quite as quickly as at a butternut.

16. Total deafness of even one ear, I think, should exempt.

22. More definiteness, if possible.

26. I doubt whether many would go of whom you required "the two inches," at least during common examination. The distance from sternum to spine (*i. e.*, flatness of chest) is quite as important as the circumference.

37. A little more definiteness in regard to date of injury, amount of habitual lameness, to be known under oath from unprejudiced citizens.

* * * * * * *

Ever faithfully, yours,

HENRY I. BOWDITCH.

PHILADELPHIA, *August 29, 1863.*

General HAMMOND, *Surgeon-General U. S. Army, &c.:*

SIR: Absence from home has prevented me from replying to your letter of the 12th instant at an earlier period.

I have carefully examined the paragraphs marked in red ink in the Regulations for the Government of the Bureau of the Provost-Marshal-General of the United States, and find but little to criticise. They seem to me to be, as a whole, as perfect as it is possible to render them.

To paragraph 11 some exception may be urged. Thus, it is stated that neuralgia in none of its forms should be admitted as a cause for exemption, unless accompanied by manifest disorder of the general health, wasting of a limb, or other serious local disease. It has occurred to me to see a large number of cases of neuralgia in various parts of the body without any of these concomitants, and yet the patients would, I am sure, have been utterly unfit for military duty. In such cases exemption should, of course, not be granted without the certificate of the attending physician.

Paragraph 15 grants exemption on account of the loss of a nose. It is difficult for me to perceive why such a defect, if it does not interfere with respiration, should prevent a man from fighting.

Paragraph 28. Fistula of the anus, in ordinary cases, is so easily remedied that it should not be regarded as a disqualifying circumstance, and yet I have known several men in this city to be exempted on this account, notwithstanding they were quite healthy.

Paragraph 33 grants exemption on account of loss or atrophy of both testicles, and also on account of the retention of these organs within the inguinal canal. I cannot see why the first two of these affections should in any wise interfere with the duties of a soldier, if he is well formed and sound in other respects; nor ought the retention of the testicles in the groin be, in my opinion, a sufficient cause for exemption, unless accompanied by hernia. A man thus affected may be as strong as when these organs are situated in the scrotum, as I know from personal observation.

Many men, I fear, are admitted into the Army who are utterly unfit for field duty in consequence of the feebleness of their organization. The offspring of phthisical and syphilitic parents should, in my judgment, as a general rule, be excluded from the service as incapable of bearing up under its hardships, The enlistment of such persons is not only useless to the Government, but a source of expense and annoyance.

I have the honor to be, sir, very respectfully, your friend and obedient servant,

S. D. GROSS.

WASHINGTON, D. C., *October 22, 1863.*

Col. JAMES B. FRY, U. S. Army,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to acknowledge the receipt of your communication of this date, inclosing "a copy of the report of a committee of the New York Academy of Medicine on the list of disqualifications of drafted men," and asking whether, in my opinion, "the adoption of the recommendations made by the committee will lead to an increase or diminution in the number of drafted men held to service."

In reply I have to state that the adoption of the recommendations of the committee will lead to a diminution in the number of drafted men

held to service; or in other words, the numbers exempted on account of physical and mental infirmities would be somewhat increased.

Having been president of the Board of medical officers which was convened "to prescribe rules for governing boards of enrollment in determining who shall be exempt from draft as physically or mentally unfit for the service," I venture to offer a few remarks explanatory of the action of the Board on two of the points referred to by the committee, not with a view to criticism, but solely that you may more clearly understand the true meaning of the changes proposed.

Paragraph 34 of the official list of disqualifying diseases and infirmities reads: * * * "Varicocele and cirsocele are not in themselves disqualifying." The committee propose to omit the word "cirsocele," so that the sentence would read: "Varicocele is not in itself disqualifying."

Some of the older writers use the word varicocele to designate an enlarged condition of the veins of the scrotum, and apply the term cirsocele to an enlargement of the veins of the spermatic cord; modern authors describe both conditions as varicocele. The use of the word cirsocele by the Board was perhaps superfluous, but it was intended to show positively that the graver condition—that is, enlargement of the veins of the spermatic cord—did not disqualify.

The committee recommend that paragraph 43 be changed so as to read "loss of the second and third phalanges of the fingers of the right hand," instead of "first and second," as it now stands. The two expressions are intended to mean the same thing. The Board, after some discussion, used the words "first and second phalanges of the fingers," in deference to popular usage, though, anatomically speaking, the ungual phalanx is the third and not the first.

Concerning the communications on this subject from Prof. S. D. Gross, M. D., and Henry I. Bowditch, M. D., which you have submitted for my perusal, I respectfully offer the following remarks:

Professor Gross comments on "the loss of the nose," "fistula in ano," "loss or atrophy of both testicles, or their retention within the inguinal canal," as "disqualifying infirmities." In my opinion the loss of the nose disqualifies, for three reasons: First. It is usually the result of a constitutional vice, scrofulous or syphilitic. Second. On marches over dusty roads, it is, to say the least, a source of very great discomfort. Third. Soldiers have great repugnance to associating and sleeping with one who has this defect.

Paragraph 28 of the official list reads "fistula in ano is not a positive disqualification, but may become so, if extensive or complicated with visceral disease." "Loss or complete atrophy of both testicles" (not their mere absence from the scrotum) is so likely to be followed by loss of manly courage that in my opinion a person with such infirmity should not be placed in a situation where cowardice would be punished by an ignominious death; and, indeed, I doubt whether such a person is liable to military service under the law which applies only to "able-bodied male citizens." When the testicles are retained in the groin they become so inflamed, enlarged, and painful on marches or long rides as to unfit for active service.

Doctor Bowditch suggests more definiteness in paragraph 22, and in this I fully agree, and recommend that the application of that paragraph be restricted to those cases where the loss of teeth is so great that if the man were restricted to solid food he would soon become incapacitated for military service.

R. H. COOLIDGE,
Medical Inspector, U. S. Army.

From all districts in which the draft was completed, up to November 1, 1863.

State.	Districts.	Exempted for physical disability.	Only son of a widow, &c.	Only son of aged parents, &c.	Elected under fourth clause.	Only brother of children not 12 years old.	Father of motherless children under 12 years.	Two brothers in service, &c.	Convicted of felony.	In service March 3, 1863.	Aliens.	Over 45 years of age.	Over 35, and married.	Under 20 years of age.	Non-residents.	Paid commutation money.	Substitutes accepted and delivered at general rendezvous.
Maine	3d ..	1,052	59	121	38	1	32	13	..	50	25	1	191	26	86	728	251
Do	4th .	812	79	99	91	..	53	9	1	27	115	2	73	18	32	196	279
Vermont	1st..	574	51	59	45	1	24	15	2	7	111	9	119	40	56	724	148
Do	2d ..	939	48	143	28	1	26	12	2	44	21	5	48	10	74	729	252
Do	3d ..	630	31	45	18	..	21	13	1	23	208	5	56	34	31	394	295
Massachusetts	1st..	1,029	101	95	71	1	31	4	3	40	160	....	77	16	45	65	250
Do	2d ..	1,440	83	45	71	3	44	15	7	56	174	14	50	13	92	1[illegible]	324
Do	3d ..	1,165	141	48	.....	..	57	7	2	58	838	83	286	57	106	827	273
Do	4th .	1,234	151	16	29	2	40	12	7	67	798	59	174	33	214	134	162
Do	5th .	1,301	84	61	28	2	40	12	2	62	84	9	42	6	46	333	245
Do	6th .	1,526	96	35	50	..	43	10	3	54	123	....	a98	.....	97	244	88
Do	7th .	1,043	15	84	12	1	40	15	1	19	215	3	56	8	154	437	202
Do	8th .	887	62	95	58	1	27	30	..	42	338	7	102	36	59	628	113
Do	10th,	1,154	118	78	8	..	41	23	4	26	495	9	79	24	94	679	50
Rhode Island	1st..	897	110	47	108	1	26	31	3	162	302	19	112	39	172	319	204
Do	2d ..	423	34	32	15	2	6	....	1	58	54	4	23	21	54	130	287
Connecticut	1st..	747	91	61	45	3	35	20	3	26	453	27	120	50	71	428	662
Do	2d ..	821	125	63	60	2	41	25	..	43	211	19	65	47	139	298	564
Do	3d ..	795	67	59	37	3	21	10	1	33	251	13	86	29	58	222	342
New York	8th .	432	80	13	1	1	30	7	1	71	313	47	462	75	54	74	277
Do	16th.	655	71	147	16	1	26	3	..	16	184	7	121	72	33	342	109
Do	17th.	681	46	73	25	1	20	54	..	35	265	4	115	38	22	402	165
Do	24th.	1,152	62	104	13	..	22	9	1	48	183	19	136	41	63	306	116
Do	26th	1,087	53	50	12	1	23	14	2	42	53	2	101	44	57	256	109
Do	27th.	1,353	90	104	35	3	54	71	2	31	134	5	273	30	116	806	187
Do	28th.	970	94	151	23	..	32	22	1	63	402	4	153	44	77	440	292
Do	29th.	1,197	47	62	9	..	14	9	3	12	134	6	110	38	61	505	115
Do	30th.	1,187	85	102	59	1	20	12	2	28	393	....	297	94	101	217	410
Pennsylvania	3d ..	1,251	172	24	3	..	46	17	..	317	260	a	a457	.....	48	48	382
Do	5th..	693	61	35	11	1	27	17	..	21	208	6	141	40	34	196	713
Do	6th..	845	58	48	7	..	35	12	1	25	116	18	112	32	31	467	562
Do	7th..	898	67	31	13	1	19	5	1	209	216	14	90	39	39	503	309
Do	9th..	712	63	54	41	..	35	29	1	147	86	10	85	43	69	1,214	36
Do	15th.	844	87	52	43	4	29	28	2	112	33	11	109	67	57	1,192	185
Do	19th.	753	57	111	249	..	38	24	2	39	177	2	100	39	63	922	136
Do	20th.	1,089	137	214	98	1	48	39	2	78	116	3	116	58	88	972	191
Do	21st.	658	70	51	62	..	40	37	..	40	37	a	a174	.....	.....	817	176
Do	23d..	770	91	50	16	2	25	32	..	52	147	3	101	34	57	790	164
Do	24th.	680	98	49	3	..	39	58	1	46	74	17	102	45	35	1,031	146
Dist. Columbia	.....	1,018	256	62	7	6	84	6	11	81	435	76	326	166	294	293	671
Total	40	37,394	3,391	2,873	1,558	47	1,354	791	76	2,410	8,987	543	5,558	1,556	3,175	20,132	10,402

a Including over 45 and under 20 years of age.

FINAL REPORTS.

not including those in which the draft was still in progress at that date.

Substitutes accepted and deserted before reaching general rendezvous.	Drafted men delivered at general rendezvous.	Drafted men deserting before reaching general rendezvous.	Total examined.	Number failed to report.	Total drawn.	Expiration of time at which drafted men were ordered to report.	Substitutes at this post.	Drafted men at this post.	Cases disposable.	Enlisted previous to draft.	Improperly enrolled.	Died.	Mental disability.	Arrested, &c.	Drafted men accepted and furloughed.	Discharged.	Deserter—rebel army.	Promoted since draft.	Not served notice.	Drafted twice.	Deserted after reporting.	In jail as a witness.	In camp to be sent forward.	Gone to Germany.
13	148	....	2,864	676	3,540	Sept. 25	9	11	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
4	242	79	2,311	622	2,933	Sept. 30	....	....	107	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
6	79	....	2,090	166	2,256	Sept. 3	....	....	....	13	13	4	....	....	....	....	....	....	....	....	....	....	....	....
8	125	....	2,554	91	2,645	Aug. 28	....	....	....	4	....	4	27	....	....	....	....	....	....	....	....	....	....	....
11	122	41	1,889	241	2,170	Oct. 20	....	....	40	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
11	15	....	2,130	786	2,916	Aug. 31	....	....	1	....	....	....	....	....	14	....	....	....	....	....	....	....	....	....
14	48	....	2,722	131	2,853	Oct. 10	....	....	....	....	....	7	....	....	....	....	....	....	....	....	....	....	....	....
17	33	....	3,503	1,105	4,608	Sept. 5	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
34	17	....	3,182	1,016	4,198	Sept. 18	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
....	63	....	2,370	289	2,777	Sept. 1	....	....	....	118	....	....	....	....	....	....	....	....	....	....	....	....	....	....
15	35	....	2,528	184	2,712	Sept. 30	....	....	....	....	....	....	....	....	11	....	....	....	....	....	....	....	....	....
6	82	....	2,416	233	2,649	Sept. 22	....	....	....	16	....	5	....	....	....	2	....	....	....	....	....	....	....	....
6	110	20	2,653	252	2,905	Sept. 20	....	....	....	....	....	....	25	....	6	....	....	....	....	....	....	....	....	....
1	87	9	3,027	368	3,395	Sept. 28	....	....	46	....	....	1	....	....	....	....	....	....	....	....	....	....	....	....
27	49	....	2,728	243	2,971	Oct. 1	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
61	56	....	1,279	71	1,350	Sept. 1	....	....	....	....	....	3	....	....	....	5	....	....	....	....	....	....	....	....
8	50	11	2,902	343	3,245	Oct. 22	....	....	....	....	....	....	....	....	....	1	....	....	....	....	....	....	....	....
6	34	71	2,734	174	2,908	Oct. 16	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
4	46	....	2,087	267	2,354	Sept. 11	....	....	....	....	....	....	....	....	....	....	1	1	....	....	....	....	....	....
4	4	....	2,053	1,022	3,075	Oct. 1	....	....	....	....	....	....	....	....	107	....	....	....	....	....	....	....	....	....
19	97	2	1,913	477	2,390	Oct. 1	....	1	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
26	74	2	2,196	468	2,730	Aug. 20	....	15	....	8	8	2	....	....	....	....	....	....	43	4	66	....	....	....
15	118	....	3,110	359	3,383	Sept. 30	....	....	....	1	....	....	13	....	....	....	....	....	....	....	....	1	1	....
....	166	47	2,851	376	3,227	Sept. 11	....	....	39	1	....	....	....	....	....	3	....	....	....	....	....	....	....	....
4	208	45	3,268	390	3,658	Oct. 3	....	....	....	12	....	3	....	....	....	....	....	....	....	....	....	....	....	....
6	56	....	2,890	375	3,265	Oct. 2	....	....	3	....	....	....	13	....	34	....	....	....	....	....	....	....	....	....
42	57	....	2,424	226	2,649	Oct. 6	....	....	1	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
29	26	....	3,120	688	3,808	Oct. 20	....	....	....	....	....	2	19	....	36	....	....	....	....	....	....	....	....	....
....	20	....	3,578	944	4,522	Sept. 24	....	....	422	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
45	24	2	2,397	586	2,983	Sept. 19	....	....	....	7	....	....	13	....	23	35	....	....	....	3	46	....	....	....
5	18	....	2,601	400	3,001	Oct. 3	....	....	....	171	23	4	....	1	....	3	....	....	....	6	....	....	....	....
27	55	....	2,536	303	2,839	Oct. 12	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
1	133	1	2,857	265	3,122	Oct. 31	....	....	....	89	....	5	....	....	....	3	....	....	....	....	....	....	....	....
....	181	....	3,163	250	3,460	Oct. 9	....	....	91	26	9	1	....	....	....	47	....	....	....	....	....	....	....	....
25	234	87	3,053	334	3,387	Oct. 23	....	....	....	38	....	4	....	....	....	....	....	....	....	....	....	....	....	1
11	103	....	3,274	626	3,900	Oct. 3	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
....	273	....	2,622	251	2,873	Sept. 30	....	....	24	79	....	1	....	....	....	....	....	....	....	....	36	....	....	....
33	227	....	2,608	318	2,926	Sept. 10	....	....	....	5	....	....	....	....	....	9	....	....	....	....	....	....	....	....
19	193	....	2,665	340	2,995	Aug. 31	....	....	....	19	....	....	....	....	....	....	....	....	....	....	....	....	....	....
5	214	....	4,114	1,684	5,798	Oct. 3	....	....	....	....	....	2	....	....	....	....	....	....	....	....	....	....	....	....
568	3,922	368	107,262	17,940	125,376	.....	9	27	774	603	53	48	110	1	231	108	1	1	43	13	147	2	1	1

Table showing the population by sexes, and the preponderance of either sex in certain States, according to the census of 1860, and the number enrolled in class 1, 1863, with the ratio of enrollment to male population.

States.	Males.	Females.	Excess of males over females.	Excess of females over males.	Number enrolled in class 1, 1863.	Ratio of enrollment to male population.
						Per cent.
Maine	317,189	311,090	6,099		53,626	17
New Hampshire	159,816	166,257		6,441	26,674	16⅔
Vermont	158,786	156,312	2,474		23,568	15
Massachusetts	596,713	634,353		37,640	107,925	18
Rhode Island	84,133	90,487		6,354	14,403	17
Connecticut	225,994	234,153		8,159	38,456	17
New York	1,933,532	1,947,203		13,671	427,148	22
New Jersey	336,045	336,972		927	66,642	20
Pennsylvania	1,454,319	1,451,796	2,523		274,007	18⅞
Delaware	55,329	54,639	190		8,181	14¾
Maryland	296,585	313,275		16,690	(a)	
District of Columbia	35,499	39,561		4,062	19,327	54½
Ohio	1,190,162	1,149,349	41,813		207,806	17½
Indiana	699,260	651,168	48,092		134,500	19⅓
Illinois	900,761	809,190	91,571		183,501	20⅜
Kentucky	479,312	450,889	28,423		(a)	
Missouri	564,841	502,240	62,601		(a)	
Michigan	393,486	353,112	40,374		79,985	20⅓
Wisconsin	407,459	368,432	39,027		74,586	18⅓
Iowa	254,593	220,420	34,173		63,062	17¾
Minnesota	91,930	77,824	14,106		20,865	22¾
Kansas	59,178	48,026	11,152		(a)	
Total	10,795,422	10,466,768	422,618	98,964	1,823,572	

a Not complete.

Average ratio of enrollment to male population, 19.4 per cent.

It will be seen from this table that the States showing the larger ratios of enrollment to male population are:

First. Those to which the more recent immigration has been most considerable, having in view immigration both from foreign countries and that resulting from the movement from the Atlantic States westward. Under this head Indiana, Illinois, Michigan, Wisconsin, Iowa, and Minnesota are examples.

Second. Those States having large cities, to which able-bodied men resort for employment, especially those near the depots of foreign immigration, in which males from abroad remain upon landing, or to which they most readily find their way. New Jersey, in which the ratio of enrollment to male population is 20 per cent., is an example of this, its cities and manufacturing towns—Newark, Jersey City, Trenton, &c.—furnishing employment for the unskilled labor of immigrants as well as to the "journeymen" class of the native population. The State of New York also is a more remarkable instance under this head. That State contains the chief depot of foreign immigration, and, as well, a metropolitan district with a population of more than a million, to which men in the prime of life are attracted from neighboring States.

The States showing the smallest percentage of enrollment with reference to male population are those most strictly rural, such as New Hampshire, 16⅔ per cent.; Vermont, 15 per cent.; Delaware, 14¾ per cent.; these at the same time being States which are but slightly affected by the waves of foreign immigration, while they are also

States which men within the ages of the enrollment of the first class are wont to leave for the more attractive fields of the West.

The District of Columbia exhibits in the table an apparent anomaly, more than half of the male population being enrolled in class one. It will be remembered, however, that the figures of the population are those of the census of 1860. In the interval between the census and the enrollment the population has largely increased, and especially large numbers of enrollable men have been brought to the District by the civil and semi-military employments incident to the military operations around it.

Comparisons suggested by the foregoing table will serve to answer, in part, complaints based upon assumptions of negligent or overzealous enrollments in this or that part of the country. Discrepancies assumed to exist as based upon the figures of the population in gross, or upon the Congressional apportionment, will be reconciled by analysis of the population with reference to ages, sex, and employments, the observer keeping in view the currents of immigration, and bearing in mind that, from the nature of things, the migrating population always embraces a preponderance of precisely those whom the enrollment of the first class has registered—that is to say, men from the age of twenty to thirty-five, and unmarried men beyond that age to forty-five.

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*Regulations for the Government of the Bureau of the Provost-Marshal-General of the United States.**

CIRCULAR No. 100. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, November 9, 1863.*

Paragraph 85 of the Regulations for the Government of the Bureau of the Provost-Marshal-General of the United States is amended to read as follows:

85. The following diseases and infirmities are those which disqualify for military service, and for which only drafted men are to be "rejected as physically or mentally unfit for the service," viz:

1. Manifest imbecility.

2. Insanity. This includes well-established recent insanity, with liability to a recurrence.

3. Epilepsy. For this disability the statement of the drafted man is insufficient, and the fact must be established by the duly attested affidavit of a physician in good standing, who has attended him in the disease within the six months immediately preceding his examination by the Board.

4. Paralysis, general, or of one limb, or chorea; their existence to be adequately determined. Decided atrophy of a limb.

5. Acute or organic diseases of the brain or spinal cord; of the heart or lungs; of the liver or spleen; of the kidneys or bladder, which have so seriouly impaired his general health as to leave no doubt of the man's incapacity for military service.

6. Confirmed consumption. Incipient consumption does not exempt.

7. Cancer; aneurism of the large arteries.

8. Inveterate and extensive disease of the skin, such as will necessarily impair his efficiency as a soldier.

*For paragraph 85 (here omitted), see pp. 136–139.

9. Decided feebleness of constitution, or deficient size of chest, sufficient in degree to leave no doubt of the man's unfitness for military service.

10. Scrofula or constitutional syphilis, which has so seriously impaired his general health as to leave no doubt of the man's incapacity for military service.

11. Habitual and confirmed intemperance, or solitary vice, which has so materially enfeebled the constitution as to leave no doubt of the man's incapacity for military service.

12. Chronic rheumatism, unless manifested by positive change of structure, wasting of the affected limb, or puffiness or distortion of the joints, does not exempt. Impaired motion of joints and contraction of the limbs alleged to arise from rheumatism, and in which the nutrition of the limb is not manifestly impaired, are to be proved by examination while in a state of anæsthesia induced by ether only.

13. Pain, whether simulating headache, neuralgia in any of its forms, rheumatism, lumbago, or affections of the muscles, bones, or joints, is a symptom of disease so easily pretended that it is not to be admitted as a cause for exemption unless accompanied with manifest derangement of the general health, wasting of a limb, or other positive sign of disqualifying local disease.

14. Great injuries or diseases of the skull, occasioning impairment of the intellectual faculties, epilepsy, or other manifest nervous or spasmodic symptoms.

15. Total loss of sight; total loss of sight of right eye; cataract of right eye; loss of crystalline lens of right eye.

16. Partial loss of sight of both eyes, vision being so greatly impaired as to leave no doubt of the man's inability to perform military duty. Serious permanent diseases of the eye or eyelids, so manifestly affecting the use of the eyes as to leave no doubt of the man's incapacity for military service. Nearsightedness does not exempt; if found on trial to be so decided as to incapacitate for field service, the man may be transferred to the Invalid Corps.

17. Total loss of nose; deformity of nose so great as seriously to obstruct respiration; ozena, dependent on caries in progress.

18. Decided deafness. This disability must not be admitted on the mere statement of the drafted man, but must be proved by the existence of positive disease, or by other satisfactory evidence; and it must be so decided as to leave no doubt of the man's unfitness for military service. Chronic purulent otorrhœa.

19. Incurable diseases or deformities of either jaw, such as will necessarily greatly impede mastication or speech. Anchylosis of the lower jaw; caries of the bones of the face, if in progress; cleft palate, (bony); extensive loss of substance of the cheeks, or salivary fistula.

20. Dumbness; permanent loss of voice; not to be admitted without clear and satisfactory proof.

21. Total loss of tongue; hypertrophy, atrophy, mutilation, or obstinate chronic ulceration of the tongue, if sufficient in degree to interfere seriously with the use of the organ.

22. Stammering, if excessive and confirmed; to be established by satisfactory evidence under oath.

23. Loss of a sufficient number of teeth to prevent mastication of food. This applies to those cases only where the loss of teeth is so great that if the man were restricted to solid food he would soon become incapacitated for military service.

24. Tumors or wounds of the neck, impeding respiration or deglutition; fistula of larynx or trachea; torticollis, if of long standing and well marked.

25. Deformity of the chest, or excessive curvature of the spine, sufficient to prevent the carrying of arms and military equipments; caries of the spine, ribs, or sternum.

26. Abdomen grossly protuberant; excessive obesity.

27. Hernia.

28. Artificial anus; stricture of the rectum; prolapsus ani. Fistula in ano is not a positive disqualification, but may be so, if extensive or complicated with visceral disease.

29. Old and ulcerated internal hemorrhoids, if in degree sufficient to impair the man's efficiency. External hemorrhoids are no cause for exemption.

30. Total loss or nearly total loss of penis; epispadia or hypospadia at the middle or near the root of the penis.

31. Incurable permanent organic stricture of the urethra, in which the urine is passed drop by drop, or which is complicated by disease of the bladder; urinary fistula. Recent or spasmodic stricture of the urethra does not exempt.

32. Incontinence of urine, being a disease frequently feigned and of rare occurrence, is not of itself a cause for exemption. Stone in the bladder, ascertained by the introduction of the metallic catheter, is a positive disqualification.

33. Loss or complete atrophy of both testicles from any cause; permanent retention of one or both testicles within the inguinal canal; but voluntary retraction does not exempt.

34. Confirmed or malignant sarcocele; hydrocele, if complicated with organic disease of the testicle. Varicocele is not in itself disqualifying.

35. Loss of an arm, forearm, hand, thigh, leg, or foot.

36. Wounds, muscular or cutaneous contractions from wounds or burns, or tumors, which would prevent marching or otherwise manifestly incapacitate the man for military service.

37. Fractures, irreducible dislocations or anchylosis of the large joints, or chronic diseases of the joints or bones, that would prevent marching or otherwise unfit the man for military service.

38. Total loss of a thumb; total loss of the index finger of the right hand. Other permanent defects or deformities of the hands so decided as to leave no doubt of the man's incapacity for military service.

39. Club feet; total loss of a great toe. Other permanent defects or deformities of the feet such as will necessarily prevent marching.

40. Varicose veins of inferior extremities, if large and numerous, and accompanied with chronic swellings or ulcerations.

41. Chronic ulcers; extensive, deep, and adherent cicatrices of lower extremities.

Surgeons of boards of enrollment, in reporting "the statistics of the causes of exemption on account of physical disability," will hereafter, in addition to the alphabetical list of disabilities required by Circular No. 90, from this office, report the number rejected under each paragraph of the above list of disqualifying infirmities.

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR No. 101. WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, November 17, 1863.*

As complaints have been made that errors have occurred in the enrollment of the national forces by the omission of persons whose names should have been enrolled, and by the addition of names of persons who, by reason of alienage and for other causes, ought not to have been enrolled, and as it is desirable that the department should have such information as may be necessary in order to do full justice to all parties, it is hereby ordered:

I. The Board of Enrollment of each district shall have printed lists of the names and residences of all persons enrolled in each sub-district prepared and exposed to public view in at least five places in each sub-district, and in as many more as the Board may deem necessary. Names will be placed upon these lists in alphabetical order.

II. Public notice will be given, by advertisement upon the list of names and in the newspapers, that any person enrolled may appear before the Board and claim to have his name stricken off the list, if he can show to the satisfaction of the Board that he is not, and will not be at the time fixed for next draft, liable to military duty on account of—

1. Alienage.
2. Non-residence.
3. Unsuitableness of age.
4. Manifest permanent physical disability.

III. Persons who may be cognizant of any other persons liable to military duty, whose names do not appear on the enrollment list, are requested to notify the Board of Enrollment, who shall thereupon direct the enrolling officer of the sub-district in which the parties reside to ascertain the facts and enroll the persons so reported if they are found to be subject to enrollment. These may avail themselves of the privilege of appearing as specified in paragraph I, as if they had been originally enrolled.

IV. Boards of enrollment will use all diligence in collecting the necessary information and making the requisite notes to perfect the enrollment list.

V. Boards of enrollment will hear cases as provided in paragraph I until the 20th of December, 1863, after which no cases will be heard. As soon as possible thereafter a report of proposed corrections will be made out according to the printed instructions and transmitted to the Provost-Marshal-General.

VI. The names and residences of those proposed to be stricken off or added will be written upon sheets of consolidated enrollment lists (Forms 37 and 38), and transmitted to the Provost-Marshal-General for the purpose of correcting the lists on file.

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington City, November 17, 1863.

HENRY DU PONT,
Wilmington, Del.:

MY DEAR SIR: I have to acknowledge the receipt of your letter of the 14th instant in relation to English gunpowder, and to thank you, in the name of the Government, for the zealous efforts which now, as heretofore, you and your house have made to promote the interests of

the public service whenever called upon. The supply of gunpowder now exceeds the current consumption, and there is little or no probability of our being under the necessity of resorting to importation to maintain an adequate supply, and we shall not in any event obtain supplies in this way except as a last resort.

Very respectfully, your obedient servant,

P. H. WATSON,
Assistant Secretary of War.

CONCORD, *November 17, 1863.*

Hon. E. M. STANTON:

I believe it would be for the interest of the service in this State if the military commander should be authorized to discharge from the service all minors under eighteen years of age upon their refunding the bounty received. I request that General Hinks be authorized to discharge upon my recommendation. General Hinks approves of this. Answer.

J. A. GILMORE,
Governor.

SANDUSKY, *November 17, 1863.*

Hon. E. M. STANTON:

Unless you direct otherwise I shall dismiss part of the militia to-morrow and the rest next day, retaining here artillery and the battalion of recruits first sent up. I think a battery, part long-range guns and part Napoleons, intrenched in such earth-works as they could construct themselves, with the increase of the garrison to a full regiment, would make the island permanently safe. The long-range guns would perfectly command the channel, and the Napoleons would destroy the prisoners if they attempted to escape.

J. D. COX,
Brigadier-General.

WAR DEPARTMENT,
Washington City, November 17, 1863.

Brigadier-General COX,
Sandusky, Ohio:

You are authorized to act according to your discretion in respect to the discharge of the militia. They should not be retained unless needed, and you are the best judge of the necessity.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, November 18, 1863.

GOVERNOR STATE OF KENTUCKY:

SIR: I have the honor to inclose herewith an exhibit showing the number of troops furnished by your State to include June 30, 1863, the date of the exhibit.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

THREE-YEARS.

Due:	
Quota under calls of 1861	27,237
Quota under call of July 2, 1862	14,905
	42,142
Furnished:	
Under calls of 1861—	
28 regiments of infantry	23,125
6 regiments of cavalry	5,192
Hewett's battery of artillery	63
Recruits for all arms (1861 and 1862)	1,389
Under call of July 2, 1862—	
4 regiments of infantry	2,762
3 regiments of cavalry	2,507
Stone's battery of artillery	104
Deficiency	7,000
	42,142
5 regiments of cavalry for twelve months	5,129

NINE-MONTHS.

Due: Quota under call 300,000 militia	14,905
Furnished	None.
Deficiency	14,905

The above statement is made from the muster-rolls on file in this office.

THREE-YEARS.

Arm of service.	Infantry.	Cavalry.	Artillery.	Total.
1861.				
1st Regiment	890			
2d Regiment	870			
3d Regiment	934			
4th Regiment	801			
5th Regiment	990			
6th Regiment	884			
7th Regiment	1,006			
8th Regiment	863			
9th Regiment	929			
10th Regiment	868			
11th Regiment	856			
12th Regiment	685			
13th Regiment	861			
14th Regiment	858			
15th Regiment	863			
16th Regiment	870			
17th Regiment	734			
18th Regiment	830			
19th Regiment	822			
20th Regiment	822			
21st Regiment	725			
22d Regiment	842			
23d Regiment	951			
24th Regiment	661			
25th Regiment	855			
26th Regiment	582			
27th Regiment	605			
28th Regiment	668			23,125
1st Regiment		969		
2d Regiment		807		
3d Regiment		963		
4th Regiment		666		
5th Regiment		742		
6th Regiment		1,025		5,192
Hewett's battery			63	63

THREE-YEARS—Continued.

Arm of service.	Infantry.	Cavalry.	Artillery.	Total.
1862.				
32d Regiment	793			
33d Regiment	350			
34th Regiment	810			
39th Regiment	809			2,762
7th Regiment		789		
11th Regiment		896		
12th Regiment and Stone's battery		822	104	2,507 104
Total				33,753

TWELVE-MONTHS.

Cavalry.	Total.
8th Regiment	1,287
9th Regiment	1,185
10th Regiment	1,133
14th Regiment	1,066
15th Regiment	503
	5,129

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 30, 1863.

WAR DEPARTMENT,
Washington, D. C., November 18, 1863.

Brigadier-General BOYLE, *Louisville, Ky.:*

Your proposition to enlist from 2,000 to 3,000 colored teamsters into the service of the United States during the war, paying to loyal owners $300 for the release of their interest or property in slaves, and the persons enlisted to be free at the end of their enlistment, has been considered by this Department and is approved. You are authorized to take immediate measures to carry it into effect. The proposition, as understood by this Department, is on the following conditions:

First. Payment of $300 to loyal owners for the release of all right or claim to their slaves or their service, the owners to execute a deed of release or manumission at the time of the enlistment.

Second. Monthly compensation to persons enlisted for this service at the rate authorized by the act of Congress of 17th of July, 1862—$10 per month.

Third. Slaves so enlisted to be forever free at the expiration of their term of enlistment.

EDWIN M. STANTON,
Secretary of War.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., November 18, 1863.

Maj. J. W. T. GARDINER, U. S. Army,
Actg. Asst. Prov. Mar. Gen. for Maine, Augusta, Me.:

MAJOR: It is not unlikely that recruits may in some cases offer to enlist in regiments already filled by drafted men or consolidation, or

into some which have ceased to exist by muster-out or consolidation. To prevent this the Provost-Marshal-General directs that you ascertain from the adjutant-general of the State in which you are stationed the condition of each regiment, and how many recruits are required for each, in order to guard against improper enlistments.

I am, major, very respectfully, your obedient servant,

HENRY STONE,
Assistant Adjutant-General.

(Similar letter sent to Brigadier-General Hinks, New Hampshire; Major Clarke, Massachusetts; Brigadier-General Hays and Major Diven, New York; Lieutenant-Colonel Buchanan, New Jersey; Major Gilbert and Lieutenant-Colonel Bomford, Pennsylvania; Major Jeffries, Maryland; Lieutenant-Colonel Darr, West Virginia; Colonel Baker, Indiana; Lieutenant-Colonel Hill, Michigan; Lieutenant-Colonel Lovell, Wisconsin; Major Duncan, Iowa; Colonel Alexander, Missouri.)

SPECIAL ORDERS, No. 315. } HDQRS. DEPARTMENT OF THE MISSOURI, *Saint Louis, Mo., November 18, 1863.*

* * * * * * *

4. General Orders, No. 135, is so far modified as to permit the colored recruits enlisted in the District of the Border (not to exceed one full regiment) to be rendezvoused at Kansas City instead of Saint Louis. The regiment will be organized by Brigadier-General Ewing, under authority heretofore given him by the War Department.

By command of Major-General Schofield:

O. D. GREENE,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, November 18, 1863.

His Excellency Governor GILMORE,
Concord, N. H.:

Your telegram of yesterday in respect to the discharge of minors has been considered by this Department, and with every disposition to oblige you, it is believed that the authority requested to be delegated to General Hinks is not consistent with the good of the service, and is therefore declined. The cases, if there be any, should be reported, with evidence of the facts, to the Provost-Marshal-General for the action of the Department.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, November 18, 1863.

GOVERNOR OF NEW YORK,
Albany, N. Y.:

SIR: I have the honor to inclose herewith a statement giving the number of troops mustered into the U. S. service and credited to the State of New York between June 11 and November 4, 1863. Under date of September 8, 1863, the Department was furnished with an exhibit from the office of your adjutant-general, which claimed additional credits to include August 11, 1863. As that date is subsequent

to June 10—the date of the general exhibit from this office previously furnished you—I have the honor to request that Your Excellency will cause me to be furnished with a statement in detail, to embrace no date later than June 10, 1863, which will indicate the omissions, if any, in the aforesaid general exhibit. A careful re-examination of our records to include that date will then be made with the view to a proper adjustment of any differences existing between the records of the State and those of this Department.

I am, sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Inclosure.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
November 12, 1863.

Exhibit of additional credits, State of New York, since statement of June 11 and up to November 4, 1863:

For new regiments (three-years)	10,053
For old regiments (three-years)	1,212
Total	11,265

NOTE.—The above number taken from records as follows: From June 11 to 30, from weekly report of mustering officer; from July 1 to October 31, from report in compliance with circular of September 17; for November 4, from weekly report.

THOMAS M. VINCENT,
Assistant Adjutant-General.

Exhibit of volunteers and militia mustered into the service of the United States from the 1st day of January, 1863, to the 31st day of October, 1863.

States.	New organizations.											
	Three-years.			One-year.			Nine-months.			Six-months.		
	Infantry.	Cavalry.	Artillery.	Infantry.	Cavalry.	Artillery.	Infantry.	Cavalry.	Artillery.	Infantry.	Cavalry.	Artillery.
Connecticut	14											
Illinois	80	1,863	47									
Indiana		1,206			103					3,760		
Iowa	556	2,031										
Kentucky	951	415		811		145						
Maine												
Maryland		877								1,548	413	315
Massachusetts	2,025	1,063	1,571									
Michigan	1,260	3,210	372									
Minnesota	84	203	20									
Missouri	1,806	1,951	4					8				
New York	1,642	7,811	3,077				908					
New Jersey	2,710	1,188	432									
New Hampshire	16		304				1					
Ohio	1,665	3,048	3,623							958	1,778	
Pennsylvania	67	a110	5							531	2,499	146
Rhode Island	379	80	282									
Vermont			295									
West Virginia	477		2								745	94
Wisconsin			285									
Total	13,684	25,066	10,319	811	103	145	909	8		6,797	5,435	555

a Part of Nineteenth Pennsylvania Cavalry; correct returns of regiment not yet received.

Exhibit of volunteers and militia mustered into the service of the United States from the 1st day of January, 1863, to the 31st day of October, 1863—Cont'd.

States.	Old regiments.													
	Three-years.			One-year.			Nine-months.			Six-months.			Unassigned.	
	Infantry.	Cavalry.	Artillery.	Infantry.	Cavalry.	Artillery.	Infantry.	Cavalry.	Artillery.	Infantry.	Cavalry.	Artillery.	Old.	New.
Connecticut	159	122	62	....	....	....	....	....	....	....	....	....	....	....
Illinois	737	....	96	....	....	....	....	....	....	....	....	....	....	....
Indiana	1,998	165	550	....	....	....	....	....	....	15	....	....	....	....
Iowa	75	289	....	....	....	....	....	....	....	....	....	....	....	....
Kentucky	548	143	....	....	....	....	....	....	....	....	....	....	....	....
Maine	99	137	218	....	....	....	....	....	....	....	....	....	....	....
Maryland	367	315	59	....	....	....	....	....	....	....	....	....	....	....
Massachusetts	45	40	390	....	....	....	....	....	....	....	....	....	541	....
Michigan	864	335	128	....	....	....	143	....	....	....	....	....	120	568
Minnesota	53	....	....	....	72	....	....	....	....	....	....	....	....	....
Missouri	1,110	2,237	336	....	....	....	....	....	....	....	....	....	....	....
New York	847	591	1,554	....	....	....	....	5	....	....	....	....	....	....
New Jersey	795	....	....	....	....	....	....	....	....	....	....	....	....	....
New Hampshire	49	....	....	....	....	....	....	....	....	....	....	....	....	....
Ohio	1,362	190	9	....	....	....	....	....	....	....	....	....	....	....
Pennsylvania	25	....	....	....	....	....	....	....	....	....	....	....	1,241	a2,967
Rhode Island	12	460	564	....	....	....	....	....	....	....	....	....	....	....
Vermont	126	....	....	....	....	....	....	....	....	....	....	....	....	....
West Virginia	244	168	21	....	....	....	....	....	....	....	....	....	....	....
Wisconsin	221	221	28	....	....	....	1	....	....	....	....	....	....	....
Total	9,736	5,413	4,025	....	72	....	144	5	....	15	....	....	1,921	a2,570

a And 970 colored troops.

RECAPITULATION.

For new organizations:
- Three years ..... [illegible]
- One-year ..... [illegible]
- Nine-months ..... [illegible]
- Six-months ..... [illegible]
- Total ..... [illegible]

Old regiments:
- Three-years ..... [illegible]
- One-year ..... [illegible]
- Nine-months ..... [illegible]
- Six-months ..... [illegible]
- Total ..... [illegible]
- Grand total ..... [illegible]

Unassigned ..... [illegible]
Colored troops ..... [illegible]

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
November 19, 1863.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., November 19, 1863.

His Excellency W. A. BUCKINGHAM,
Governor of the State of Connecticut, Hartford, Conn.:

SIR: I am instructed by the Secretary of War to inform you that you are hereby authorized to raise one regiment of infantry to be composed of colored men, to be mustered into the U. S. service for three years or during the war.

To these troops no bounties will be paid. They will receive $10 per month and one ration per day, $3 of which monthly pay may be in clothing.

The organization of the regiment must conform in all respects with the requirements of General Orders, No. 110, War Department, 1863, a copy of which is herewith.*

The respective companies of the regiment may be mustered into service in each case as soon as the minimum number of enlisted men is obtained.

The prescribed number of commissioned officers will be appointed in accordance with the provisions of General Orders, Nos. 143 and 144, War Department, current series, copies of which please find inclosed.† The appointments will be made to keep pace with the muster into service of the several companies. Thus, on information being received from you that the first company has been mustered into service the necessary appointments for that company will be made. When four companies are mustered in the lieutenant-colonel of the regiment will be appointed, and so on, in accordance with the Revised Mustering Regulations.

The officers will be mustered into service on the presentation to the mustering officer of their appointments signed by the Secretary of War.

To facilitate the appointment of the officers, it is respectfully suggested that it would be well to forward to the Adjutant-General of the Army as early as practicable the names of such persons as you wish to have examined for appointment, and permission will be immediately given them to appear before the examining board now in session in this city.

In cases where persons in the service are recommended, the full name, rank, company, and regiment should be given.

The necessary supplies will be furnished by the respective departments upon requisitions approved by you.

I have the honor to be, &c.,

C. W. FOSTER,
Assistant Adjutant-General of Volunteers.

NEW YORK, *November 19, 1863.*

Hon. E. M. STANTON:

Will you authorize the raising and organization of colored troops in this State, and credit the same to the State's quota?

WM. K. STRONG,
54 Pine Street.

WAR DEPARTMENT,
Washington, D. C., November 19, 1863.

Major-General BROOKS,
Erie, Pa.:

You will exercise your own discretion as to the force necessary to be retained at Erie.

EDWIN M. STANTON,
Secretary of War.

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*See p. 175.

†See pp. 215, 216.

WAR DEPARTMENT,
Washington, D. C., November 20, 1863.

The following "Instructions for making muster-rolls, for mustering into service, for periodical payments, and for discharge from service, of volunteers or militia," having been duly examined, are approved, and will be carried into effect.*

EDWIN M. STANTON,
Secretary of War.

ROOMS OF THE NEW YORK ASSOCIATION
FOR COLORED VOLUNTEERS,
32 Pine Street, New York, November 20, 1863.

Hon. E. M. STANTON,
Secretary of War, Washington:

SIR: At a meeting of the general committee of the New York Association for Colored Volunteers, an association formed under the annexed call from Peter Cooper, General Sickles, and many other well-known citizens, it was—

Resolved, That General W. K. Strong, late of the U. S. Army, be requested to telegraph to the War Department to know whether the President will authorize the enlistment of colored volunteers in this State and credit them on the quota of this State, under the President's proclamation for more volunteers in suppressing the rebellion.

This application to the National Government results from the refusal of certain State functionaries to recognize colored men in the call for volunteers, notwithstanding the fact that the President's proclamation for volunteers makes no discrimination, and the additional fact that that class of citizens are subject (like white men) to a draft.

The brevity of the time left for action on this subject, and an earnest desire to aid in re-enforcing the National Army at the earliest practicable moment, will probably furnish apology for this general committee in asking an early answer to the foregoing interrogatory.

By order of the general committee of the New York Association for Colored Volunteers.

HENRY O'RIELLY,
Secretary.

NEW YORK, *November 9, 1863.*

FELLOW-CITIZENS: New York State has but a few weeks within which to raise her quota of over 100,000 men by volunteering.

If we allow our citizens to be drawn away by superior inducements offered by other States, we lose them in making up our quota, and the draft will fall heavily upon those who are left.

Or, if we raise the men by volunteering at the last hour we shall have to pay large bounties and heavier taxes.

Let us move in this matter without delay. Other States are fast taking our men to fill their quotas; especially our colored men. Several thousands of these may be added to the strength of our Army, and also saved to the quota of our State by a prompt and vigorous movement. Our country's interest and self-interest here unite.

All who are in favor of supporting the Government and preserving the interests and honor of our State are invited to attend a prelim-

*Instructions omitted.

inary meeting at room No. 5, Clinton Hall, at 8 o'clock on Monday evening, November 16, 1863, to take measures for immediate practical action.

PETER COOPER.
DANIEL E. SICKLES.
Major-General, U. S. Vols.
MORRIS KETCHUM.
WM. CURTIS NOYES.
FRED S. TALMADGE.
[AND SIXTY-ONE OTHERS].

WAR DEPARTMENT,
Washington City, November 20, 1863.

C. VANDERBILT, Esq.,
President New York and Harlem R. R. Co., New York:

Your letter of the 19th has just been received.* The engines referred to were seized by order of this Department from an absolute and paramount necessity for the supply of the armies on the Cumberland. They are absolutely essential for the safety of those armies, and the order cannot be revoked. Whatever damages your company may sustain the Government is responsible for; but the military operations and the supply of the army at Chattanooga, in the judgment of this Department, and no doubt also in your judgment, are superior to every other consideration. Nothing but a controlling necessity would induce the Department to interfere with the business of any individuals or companies. This, however, is a case where the safety and support of an army depends upon the exercise of the authority of the Government and prompt acquiescence by loyal citizens. I hope, therefore, that you will not only throw no obstacle in the way of a speedy forwarding of these engines to Louisville, but that you will use your well-known energy in aid of the Government to hurry them forward.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington City, November 20, 1863.

M. W. BALDWIN & CO.,
Locomotive Engine Builders, Philadelphia:

There is urgent necessity for the immediate completion and forwarding to Chattanooga of the three locomotive engines you have been constructing for the New York and Harlem Railroad Company. They have been seized and appropriated to the use of the Government by the order of this Department, and you are requested to complete and forward them with the utmost dispatch, so as not to lose an hour in getting them forward. The supply of the army and the success of military operations is greatly dependent upon there being no delay on this subject. Please acknowledge this telegram and inform me how soon the engines can be forwarded. The Government will indemnify you against any liability to the New York and Harlem

*Not found.

Railroad Company for a breach of the contract. Mr. Vanderbilt has been informed of the necessity of the Government, and, like all others in like cases, the company must submit to it.

EDWIN M. STANTON,
Secretary of War.

SANDUSKY, OHIO, *November 20, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

The dismissal of the militia leaves only such garrison here as I deem necessary for permanent safety of the island, and my further stay here seems unnecessary. Shall I return to my headquarters at Cincinnati or remain longer?

J. D. COX,
Brigadier-General.

GENERAL ORDERS, No. 376. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, November 21, 1863.*

ORDER GRANTING FURLOUGHS TO RE-ENLISTED VOLUNTEERS.

I. It is hereby ordered that volunteers now in service, re-enlisting as veteran volunteers under General Orders, No. 191, from this office, shall have a furlough of at least thirty days previous to the expiration of their original enlistment. This privilege will be secured to the volunteers either by ordering all so re-enlisting, with their officers, to report in their respective States, through the Governors, to the superintendent of the recruiting service, for furlough and reorganization, or by granting furloughs to the men individually.

II. Mustering officers shall make the following stipulation on the muster-in rolls of veteran volunteers now in service re-enlisting as above:

"To have a furlough of at least thirty days in their States before expiration of original term."

III. Commanding generals of departments and armies are hereby authorized to grant the aforesaid furloughs within the limit of time fixed in compliance with this order, as the demands of the service will best permit, reporting their action to the Adjutant-General of the Army.

IV. In going to and from their respective States and homes the veteran volunteers furloughed as herein provided will be furnished with transportation by the Quartermaster's Department.

V. When the three-fourths of a regiment or company re-enlist, the volunteers so enlisted may be furloughed in a body for at least thirty days, as aforesaid, to go home with their officers to their respective States and districts to reorganize and recruit, and the individuals of the companies or regiments who do not re-enlist shall be assigned to duty in other companies and regiments until the expiration of their term of service.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CHATTANOOGA, *November 21, 1863.*

Hon. E. M. STANTON,
Secretary of War:

As directed, I suggest the following: It will be necessary to provide officers to take care of the negro teamsters to be enlisted by General Boyle. I suggest that a quartermaster be specially detailed to attend to their wants and equipments, and that for every 100 teamsters a wagon and forage master of experience in the service, of good habits, tolerable education, able to read, to write, and make the necessary reports, returns, and requisitions, be appointed to take charge of them. There is a law which empowers the Quartermaster-General to appoint as many wagon and forage masters as may be necessary, and which fixes their compensation. Their commissions should issue from the Quartermaster-General's Office, at Washington. The companies thus formed, of 100 each, should be clothed in an appropriate uniform, and when full should be ordered in a body to the particular field for which they are designed. Three thousand men would be organized at Louisville and Nashville into thirty companies, for the sake of discipline, and also to make them efficient in the defense of their trains against small marauding parties. I think it would be well to put them through the drill of the school of the soldier and of the company. They should be armed with smooth-bore muskets, carrying buckshot cartridges; should be required to keep their muskets always with them. The wagon and forage masters should be well selected. It would be a good plan to invite recommendations of candidates from the chief quartermasters of army corps. Many very efficient men are now in the service as wagon-masters, hired from month to month by quartermasters. Some of these would make good officers, and would deserve permanent appointments. For equipment of each negro teamster enlisted I suggest, clothing, one blouse for summer of blue flannel, for winter of blue kersey; one red flannel shirt, made full; one pair sky-blue pants; two pairs army drawers; two pairs woolen socks; one pair bootees; one soft black felt hat; quartermaster's white military badge, to be worn on the breast; cartridge-box; bayonet scabbard; cap-pouch; usual infantry equipments; one smooth-bore musket; one shelter tent; one army blanket; one oilcloth blanket; the usual allowance of cooking utensils.

M. C. MEIGS,
Quartermaster-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., November 21, 1863.

Col. J. B. FRY,
Provost-Marshal-General United States, Washington, D. C.:

GENERAL: By direction of the Secretary of War you will please instruct your subordinate officers in the State of Pennsylvania to enlist and muster into service for three years or during the war all persons of color who may offer themselves for enlistment, provided they are found, on examination, to be of suitable age and condition.

Such persons, after enlistment and muster, will be sent to Camp William Penn, Lieut. Col. Louis Wagner commanding, near Philadelphia.

To this class of recruits no bounties are paid. They will receive $10 per month and one ration, $3 of which monthly pay may be in clothing.

Very respectfully, &c.,

E. D. TOWNSEND.
Assistant Adjutant-General.

OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Boston, November 21, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: I inclose the Governor's General Order, No. 32, announcing the new mode by which he hopes to raise the quota of the State. I called on him this morning, and he understands, as well as myself, that the system by provost-marshals is superseded. They have been instructed accordingly.

As by his system surgeons will be appointed by the towns to examine recruits, it may be well to have a re-examination of those sent to the island.

The muster in of individuals can be made by the disbursing officer readministering the oath and indorsing the enlistment papers to that effect, and that bounty has been paid. The number to whom he pays bounty will determine how many premiums are to be paid over to the Governor of the State.

Yours, respectfully,

F. N. CLARKE,
Major, Fifth Artillery, Actg. Asst. Provost-Marshal-General.

[Inclosure.]

GENERAL ORDERS, No. 32. } COMMONWEALTH OF MASSACHUSETTS,
Headquarters Boston, November 20, 1863.

I. Recruiting in the State of Massachusetts, under the call of the President of the United States of October 17, 1863, will be conducted under regulations from these headquarters. Selectmen of towns and mayors of cities are appointed recruiting officers, except in cases where otherwise specially ordered.

II. A recruiting officer will be appointed by the Governor in each county, who will be styled superintendent of recruiting for that county, except that some of the smaller counties will be united under one superintendent. All needful guards and orderlies for his assistance will be detailed by the commandant of camps, who will report all such details to the office of the adjutant-general with the regular morning reports. An acting adjutant will be detailed for each superintendent on application to these headquarters, either from the commissioned line officers of volunteer regiments at home on recruiting duty or from line officers of new organizations in progress.

The compensation of superintendents will be $5 per day for the time actually occupied on duty. The quartermaster-general is authorized to arrange with the superintendents for the allowance of reasonable expenses of office rent, fuel, stationery, transportation, and traveling on duty.

The superintendents of recruiting will receive from the municipal authorities the recruits which may be raised by them, and forward them immediately to the nearest camp of rendezvous. The head-

quarters of each will be established at a place most convenient to the majority of the inhabitants of the county.

The municipal recruiting officers will furnish twice in each week to the superintendent of recruiting for their county a descriptive list of the men enlisted by them upon blanks furnished by the adjutant-general.

The superintendent of recruiting will make a consolidated report to the adjutant-general on Saturday of each week, and state therein the camp of rendezvous and the date when each recruit was reported by him at such camp. He will also send to the camp of rendezvous, accompanying each squad of recruits, descriptive lists, in duplicate, upon blanks to be furnished by the adjutant-general, one of which will be signed by the commandant of the camp and returned to the superintendent for the county.

III. There are two camps only under the recruiting system of this State—one at Readville and one at Worcester. Recruits for regiments and batteries in the field reported at either of these camps will be sent daily from them to Major Clarke, the assistant provost-marshal for Massachusetts, to be taken to Long Island, in Boston Harbor, where they will be mustered into the service of the United States and sent forward to their destinations.

Recruits for the new veteran organizations will remain in the camps and be mustered according to the orders of the War Department when their respective companies are up to the minimum strength.

Detailed instructions will be issued to the recruiting officers and the superintendents of recruiting, and all blanks will be furnished from these headquarters, which alone must be used.

IV. It is arranged with the Department of War that the premiums of $15 each for raw recruits and $25 each for veterans shall be paid through and under the direction of the Governor of this Commonwealth, and not otherwise, in order that the same may be so used as to promote enlistments only, and in no sense for private emoluments of any person. And it is therefore ordered by the Governor, as touching such premiums:

1. That the same are hereby constituted and declared a special fund for the promotion of recruiting the quota of volunteers of each city and town, respectively.

2. Each city and town, respectively, shall be paid, from time to time, as the funds may be provided therefor by the War Department, such premiums as it may have earned, which will be according to the number of accepted recruits it shall have furnished under the new call.

3. The payments will be made to the city or town treasurer, to be used only for the reimbursement to the town or city of such expenditures as it shall have incurred or may thereafter incur under the direction of the municipal government or any duly appointed committee of such town or city in and about the work of recruiting its contingent.

4. The compensation of the local recruiting officer or officers in each city or town shall be fixed, and their expenses shall be audited by the mayors and city councils of cities and the inhabitants of towns in town meetings, respectively, or by committees duly appointed and authorized by such municipal governments for that purpose.

5. The compensation of the local recruiting officer in each town, unless otherwise ordered by the town, shall be the per diem compensation usually allowed in such town to the chairman of selectmen

when on duty; but such recruiting officer shall only be paid for the time when he is actively employed in recruiting.

6. The fund created by these premiums shall cover all charges for local subsistence and transportation to the county superintendent of recruiting.

7. The policy of the Legislature being to make bounties uniform throughout the Commonwealth, no part of these premiums can be added to bounties offered to recruits; but any portion of the premium fund unexpended by any town in the actual service of recruitment will be the subject of a future order.

INSTRUCTIONS FOR SUPERINTENDENTS OF RECRUITING SERVICE.

I. You will receive all recruits who may be delivered to you by the selectmen of the towns and the mayors of the cities within your district, and will provide for their subsistence while they remain under your care, for which 30 cents per day for each recruit will be allowed.

II. Whenever recruiting officers deliver recruits to you you will require that they deliver also the three copies of the enlistment contract of each recruit, filled out and certified according to their instructions.

III. You will as often as practicable forward to the nearest camp of rendezvous all the recruits under your charge, and with them two copies of the enlistment contract of each recruit. You will also send duplicate descriptive lists, giving a full description of each recruit, one of which lists will be delivered to the officer commanding the rendezvous; the other will be receipted by said officer and returned to you by the officer in command of the squad.

IV. At the expiration of each week you will send to the adjutant-general of the State a descriptive list of all recruits received by you since your last report, also the retained copy of each recruit's enlistment contract which you have sent to the camp of rendezvous.

V. You will visit frequently the several towns in your district and see that recruiting officers are attending to their duties. The mayors and aldermen of cities and the selectmen of the several towns of this State in performing the duty assigned to them under General Orders, No. 32, from these headquarters, will be governed by the following regulations:

1. You will not allow any man to be deceived or inveigled into service by false representations, but will in person explain the nature of the service, the length of the term, the pay, clothing, rations, and other allowances to which a soldier is entitled by law to every man before he signs the enlistment.

2. The conditions of enlistment will be such as are prescribed by the Army Regulations. You will enlist no person under the age of twenty-one years without the written consent of his parent or guardian, which written consent must be produced when the recruits are mustered into the service of the United States. You will enlist no man whose age shall exceed forty-five years, or be less than eighteen years, and none but able-bodied men—being precise in your inquiries in this respect—but the regulation in respect to age and height does not extend to musicians. (State the height.)

3. Enlistments must in all cases be made in triplicate. Three copies must be delivered to the superintendent of recruiting service for your district, at the principal depot for recruits, whenever recruits are sent there by you.

4. Enlistments must be filled up in a fair and legible hand, the real name of the recruit must be ascertained and correctly spelled, and the Christian name must not be abbreviated.

5. The filing on the back of the enlistment papers when folded need not be filled up. That will be done at the adjutant-general's office.

6. You will report to the superintendent of recruiting for your district once in three days the names and number of men enlisted by you under each quota since the last report. These reports must be made whether there have been any enlistments or not.

7. Each recruit must be carefully examined by a surgeon, and the proper certificate must be signed by the surgeon and recruiting officer. After the recruit has signed the enlistment papers the oath will be administered to him, according to the form in the enlistment paper, by a justice of the peace, who will also sign the proper certificate in the enlistment paper.

8. The pay and subsistence of recruits will commence on the day of their enlistment.

9. No conditional enlistments must be made.

10. All recruits must be sound and active, free from all malformation, defect of sight or hearing, ulcers, piles, rupture, fracture, dislocation, and disease of any kind; but the lack of or defect in the left eye, or slight injury of the left hand, will not reject a man.

11. In filling the description of the recruit upon the contract of enlistment, if he is unmarried, insert the word "not" before the word "married," as printed. If he is a married man, draw a line across the space before the word "married." Carelessness in stating whether the men are married or not will result in embarrassment in drawing their State aid.

12. The medical examination must be strict and thorough. No desire to obtain a recruit can justify the enlisting of a man who is physically unsound.

13. The triplicate enlistment contracts must be completed at the time of the enlistment of the recruit. The name of the recruit must be written distinctly in the contract. Recruiting officers must sign the contract with their full first names. If the recruit cannot write his name, it must be written as usual in such cases, the recruiting officer witnessing the signature.

14. Consent for the enlistment of minors must be taken in triplicate upon the blanks on the back of each contract.

15. If the recruit has heretofore served in the Army of the United States for a period not less than nine months, the company and regiment in which he last served and the date of his discharge must be entered in the appropriate blank under the filing on each of the three copies of the enlistment contract.

16. Recruits are to be forwarded as fast as enlisted to the superintendent of recruiting service for your county, and whenever a recruit is delivered to such superintendent the three copies of the enlistment contract are also to be delivered to him.

17. The recruiting officers will in all cases indorse upon the margin of the enlistment contract the company and regiment to which the recruit wishes to be assigned.

By order of His Excellency John A. Andrew, Governor and commander-in-chief:

WM. SCHOULER,
Adjutant-General.

WAR DEPARTMENT,
Washington, D. C., November 22, 1863.

Brigadier-General COX,
Sandusky, Ohio:

I think you had better remain at Sandusky until further orders.

EDWIN M. STANTON,
Secretary of War.

ADJUTANT-GENERAL'S OFFICE,
Augusta, November 23, 1863.

Maj. THOMAS M. VINCENT,
Assistant Adjutant-General, Washington, D. C.:

SIR: In accordance with instructions contained in your letter of the 6th instant, Captain Bailey, mustering officer, has made examination of the records in this office of unassigned recruits in 1861, and hands me the accompanying certificate* for transmittal to be filed with your records.

I find the revised statement differs materially from the facts as shown by the muster-in rolls and records on file in this office and the records of the volunteer recruiting service of this State, amounting in the aggregate to 684 less, exclusive of the recruits (478) enlisted in New Orleans for Maine regiments, which are under your rules credited to the State of Louisiana, and for which, therefore, no further claim is now urged. The difference arises, I have no doubt, from the fact that the recruits in your revised statement are taken up from the regimental returns and not from the records of enlistment and muster into U. S. service, the only correct sources of information, and on which the statement handed you by me, dated September 16, 1863, was based. I am only surprised that a list of credits made up from regimental returns approximates so nearly to the correct numbers. An examination of the records of this office and of the volunteer recruiting service in this State is now being made at my request by direction of Major Gardiner, acting assistant provost-marshal-general and superintendent of volunteer recruiting service, with a view of sending for file in your office the mustering officer's statement and certificate of the aggregate strength of Maine organizations in men furnished under all calls up to May 26, 1863, which certificate will, I think, satisfy you of the nearer approximation to correctness of the statement sent from this office than of the revised statement from the War Department, and enable the making of your records and those in this office to agree.

I am, major, very truly and respectfully, your obedient servant,

JOHN L. HODSDON,
Adjutant-General of Maine.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., November 23, 1863.

His Excellency JOHN A. ANDREW,
Governor of Massachusetts, Boston, Mass.:

SIR: I am instructed by the Secretary of War to inform you that you are hereby authorized to raise a battalion or a regiment of cav-

*Omitted.

alry to be composed of colored men and to be mustered into the service of the United States for three years or during the war.

To these troops no bounties will be paid. They will receive $10 per month and one ration per day, $3 of which monthly pay may be in clothing.

The organization of the battalion or regiment must conform in all respects with the requirements of General Orders, No. 110, current series, War Department, a copy of which is herewith.*

The respective companies of the battalion or regiment may be mustered into service as soon as the minimum number of enlisted men in each case are ready for muster.

The prescribed number of commissioned officers will be appointed on your recommendation by the President of the United States, and the officers so appointed will be regularly mustered into service in accordance with the requirements of the Revised Mustering Regulations.

In cases where persons in service are recommended for appointment, the full name, rank, company, and regiment to which they are attached should be stated.

The necessary supplies will be furnished by the respective departments upon requisitions approved by you.

The preliminary examination of candidates for appointment is waived in this case, for the reason that the exigencies of the public service will not permit of a board being convened for the examination of cavalry officers.

I have the honor to be, &c.,

C. W. FOSTER,
Assistant Adjutant-General.

SANDUSKY, *November 23, 1863—7.35 p. m.*

Hon. E. M. STANTON:

Four siege guns have been sent to Cleveland, invoiced to me. Is it intended to erect fortifications there. I incline to the opinion that a field battery would be more useful there, and the siege guns on Johnson's island, but I have no orders.

J. D. COX,
Brigadier-General.

WAR DEPARTMENT,
Washington, D. C., November 24, 1863.

Maj. Gen. JOHN A. DIX,
Commanding Department of the East, New York:

Mr. Thayer, the agent of the Governor of Vermont, represents that he has furnished to you duplicates of a letter from the Governor to the President in regard to a supposed design to invade the State of Vermont, and that you replied that you could do nothing without the orders of this Department; if so, please report whether you so construe your powers, and whether you do not feel yourself authorized to take any measures that in your judgment may be necessary for the protection of any part of the territory within your command, and what orders you desire to enable you to take precautionary measures. This Department understands that you, as commanding general of the department, have full authority to employ all force within your command

* See p. 175.

necessary for the protection of the northern border of your department, and that if you require an additional force it should be signified to this Department. Whether the Governor of Vermont has any reason for apprehension, you, from your late visit, can judge better than any one else. The object of this telegram is only to correct a misapprehension of your powers, if Mr. Thayer has correctly understood you, leaving the question as to whether any and what measures are required to your judgment.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., November 24, 1863.

General WILLIAM K. STRONG,
New York:

On application by suitable persons special authority will be granted to raise colored troops in New York according to the rules and regulations relative to organizing and raising colored troops. The troops so raised will be credited to the State. Until Congress shall authorize it no bounty can be paid, and the pay is limited by the act of Congress to $10 a month. The Department will recommend that in this respect the act be amended so as to make the pay the same as other soldiers. They will be enrolled as U. S. Volunteers and the officers be appointed and commissioned by the President.

EDWIN M. STANTON,
Secretary of War.

(Same to General Spinola, Brooklyn.)

PENNSYLVANIA, EXECUTIVE CHAMBER,
Harrisburg, Pa., November 24, 1863.

The PRESIDENT:

SIR: It is not only my duty but my most earnest desire to give you the whole military force of Pennsylvania, so far as the same may be necessary to the prompt and effectual suppression of the rebellion. I have hitherto acted on this principle, and I feel that in my late re-election the people of the Commonwealth have expressed their approval of it and have placed me under additional obligations to carry it out.

The plan adopted by you to obtain volunteers under your last requisition I have in every way in my power favored the execution of, but I fear that it has become evident that it cannot be successful.

Under these circumstances I desire to submit for your consideration the expediency of using the agency of the State authorities for the raising of men in this State. I think your experience from the beginning of this war has been that men have been more readily raised through that agency than in any other mode. There are many reasons why this should be so, but it is not necessary to trouble you with a detailed recital of these. I propose the following heads for your approval:

1. That a brigade at a time of the Pennsylvania Reserve Corps be sent into the State, to be recruited under the direction of the Governor.

2. That the other Pennsylvania regiments on the field shall, when deemed expedient, be consolidated by the Governor, and that the offi-

cers, who will thus be deranged, be, if meritorious, appointed for new regiments by, and assigned to recruiting service under the direction of, the Governor.

3. The Governor shall designate all recruiting officers for volunteers in the State, and all existing authorities to recruit volunteers shall be vacated.

4. The volunteers who shall be enlisted shall remain under the control of the Governor at such camp or rendezvous, and under such commander as he may designate, until ready to be sent to their regiments, in accordance with General Orders, No. 75, War Department, series of 1862.

5. The Governor shall have such an arrangement as he may desire in regard to the amount and mode of payment of premiums for obtaining recruits and the persons to whom they are to be paid, premiums not to exceed $25 for veterans and $15 for men recruited, not to be paid until the recruits are accepted by the United States.

6. Reports shall be frequently made to Lieutenant-Colonel Bomford, U. S. Army, acting assistant provost-marshal-general for Pennsylvania, of what is being done by the State. Lieutenant-Colonel Bomford shall have control of the expenditures, which shall all be paid by the United States, and he shall be notified whenever recruits are ready to join their regiments.

7. Cities and other localities furnishing volunteers shall have credit for them on the present or any future draft.

The heads Nos. 1 and 2 I conceive to be very important, and respectfully recommend them to the approval of your Administration. If, however, they should not receive that approval, then I suggest the following in their stead, viz:

1. Such officers of Pennsylvania regiments in the field as the Governor may desire shall be detailed for recruiting service in the State and under the direction of the Governor, the details being first made from regiments whose term of service expires in 1864.

2. When practicable, old regiments shall be sent home to be recruited under the direction of the Governor.

In failing to devote whatever may be necessary of time, labor, health, of my life itself to the great cause of the country, I shall be false to the noble and generous people who have again given me their confidence. All the zeal and energy of which I am capable is at your service in that cause. That the public service may be efficiently carried on, I am most desirous of acting in perfect harmony and accord with your Administration, especially with the War Department, with which my relations must be most direct and intimate. If, therefore, I should at any time find it necessary to call attention to the course of any subordinate officer of the United States, I shall confidently hope that my representations will be understood to proceed wholly from a sense of duty—a duty of which the performance is always painful, and for the performance of which I trust that no occasion may arise.

I beg to suggest, in conclusion, that it would be advisable to make some practicable arrangement without delay, as a disposition exists now among our people to go into service, of which the Government ought not to lose the benefit.

I am, sir, very respectfully, your obedient servant,

A. G. CURTIN.

[Indorsement.]

PROVOST-MARSHAL-GENERAL'S OFFICE,
December 1, 1863.

Respectfully returned with report, as follows:

The Governor proposes: First. "That a brigade at a time of Pennsylvania Reserves be sent home to recruit." I don't think anything more can properly be done in this respect than is directed by General Orders, No. 376, providing for sending volunteers home on re-enlistment.

Second. "That the other Pennsylvania regiments now in the field shall, when deemed expedient, be consolidated by the Governor, and that the officers who will thus be deranged be, if meritorious, appointed for new regiments by and assigned for recruiting service, under the direction of the Governor." I think it would be injurious to the public service for the Governor to consolidate regiments now in the field, and it would be destructive to the present plan of recruiting to authorize the raising of new regiments. I think these two foregoing propositions should not be acceded to. In case they are rejected the Governor proposes in lieu of them:

First. "Such officers of Pennsylvania regiments in the field as the Governor may desire shall be detailed for recruiting service in the State, and under the direction of the Governor, the details being first made from regiments whose terms expire in 1864." I think this should be granted.

Second. "When practicable, old regiments should be sent home to recruit under the direction of the Governor." I think this should be granted. His Excellency then further proposes:

Third. "The Governor shall designate all recruiting officers for volunteers in the State, and all existing authorities to recruit volunteers shall be vacated." The recruiting officers heretofore selected were appointed with the approval of the Governor, but as he thinks the recruiting service would be benefited by their discharge, I recommend that it be done. I see no reason, however, why "all existing authorities to recruit volunteers shall be vacated." If a recruit presents himself to a provost-marshal for enlistment, I think the provost-marshal should not be forbidden to accept him.

Fourth. "The volunteers who shall be enlisted shall remain under the control of the Governor, at such camps or rendezvous and under such commanders as he may designate, and until ready to be sent to their regiments in accordance with General Orders, No. 75, of 1862." I think this should be granted.

Fifth. "The Governor shall have such an arrangement as he may desire in regard to the amount and mode of payment of premiums for obtaining recruits, and the persons to whom they are to be paid, premiums not to exceed $25 for veterans and $15 for new recruits, nor to be paid until the recruits are accepted by the United States." I think this should be granted.

Sixth. "Reports shall be frequently made to Lieutenant-Colonel Bomford, U. S. Army, of what is being done by the State. Lieutenant-Colonel Bomford shall have control of the expenditures, which shall all be paid by the United States, and he shall be notified whenever recruits are ready to join their regiments." Colonel Bomford should be directed to keep himself in constant communication with the State authorities in the matter of this recruitment, and should have control of all those expenses which are to be paid by the United States,

including the payment of bounties and premiums, and should report to the Provost-Marshal-General whenever recruits are ready to join their regiments.

Seventh. "Cities and other localities furnishing volunteers shall have credit for them on the present or any future draft." Credits cannot now be given on the "present" draft, but all the volunteers furnished by cities or other localities will be duly credited on the draft fixed for January 5, 1864.

The substance of the seven preceding propositions submitted by His Excellency Governor Curtin in his letter dated November 24 were communicated to him by me in a letter to Colonel Bomford dated November 7. Each proposition was agreed to by me in about the same terms that I have now suggested. This arrangement has been in operation for some time in other States and is producing favorable results. The expediency of using the agency of the State authorities for the raising of men in the State has been fully recognized, and that agency has been invoked in Pennsylvania by letters from me dated September 21, October 20, November 7, and November 10, and by the President's proclamation of October 17, 1863.

JAS. B. FRY,
Provost-Marshal-General.

NASHVILLE, *November 24, 1863.*

Hon. E. M. STANTON,
Secretary of War:

We have raised several companies and others are being organized for one-year's service. These men are rendering and will render valuable service at this time to the Government. I hope the Secretary of War will instruct any mustering officer who may be at this place to muster them into the service of the United States. If the mustering officer could be instructed to go to the points where these men are organized it would save much time and expense in getting them into service.

ANDREW JOHNSON,
Military Governor.

WAR DEPARTMENT,
Washington City, November 24, 1863.

Governor ANDREW JOHNSON,
Nashville:

The Adjutant-General has been directed to issue instructions to mustering officers as requested in your telegram received this evening.

EDWIN M. STANTON,
Secretary of War.

BOSTON, *November 25, 1863.*

Hon. E. M. STANTON:

Colored cavalry must be counted to our quota under present call, and officers must be commissioned by me and regiment organized as was the Fifty-fourth Regiment, to enable me to pay the large State bounty to the regiment as Massachusetts Volunteers. This is of absolute importance. Major Foster sends me an order which is in effect to raise U. S. colored troops, but I can only pay Massachusetts Volunteers. The question of U. S. pay does not trouble, because our

volunteers have their choice of $325 bounty, or $50 bounty and $20 per month from the State. Please give me similar order to former one.

JOHN A. ANDREW.

CONCORD, N. H., *November 25, 1863.*

Col. J. B. FRY:

We can fill our quota for the State of New Hampshire with first-class colored men if you will say to me that Government will pay the same bounty as to white men.

There is no earthly reason why it should not be done. Answer by telegraph.

J. A. GILMORE,
Governor.

OFFICE PROVOST-MARSHAL-GENERAL,
Washington, D. C., November 25, 1863.

To His Excellency Governor J. A. GILMORE.
Concord, N. H.:

In reply to your telegram of this date in relation to bounties to colored recruits, I give you the following from the Adjutant-General.*

JAMES B. FRY.

NEW YORK, *November 25, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

I sent a detective into Canada from Buffalo. He returned this morning direct from Montreal, and reports that there is no movement on foot. The Governor of Vermont asks for 5,000 rifled muskets, a large quantity of ammunition, horses for a battery, and authority to station troops at Swanton, Saint Albans, and Burlington. Should not the Canadian authorities be called on, through the British minister, to prevent by military force the organization of marauding expeditions on British soil against the towns on our frontier, as a violation of every principle of international law? If not repressed, they will lead to a border war, in spite of any precautions we can take. I sent Colonel Ludlow to Vermont immediately on receipt of the Governor's letter, to confer with him. If any authority beyond what I possess is needed I will ask for it.

JOHN A. DIX,
Major-General, Commanding Department of the East.

HEADQUARTERS DEPARTMENT OF THE NORTHWEST,
Milwaukee, Wis., November 25, 1863.

Hon. E. M. STANTON,
Washington, D. C.:

MY DEAR SIR: Please permit me to ask that you will examine my letter to you of November 15 [12], and that you will yourself render a decision upon the questions involved.

The matter is of much consequence in the discharge of duty in this department, especially in enabling me to respond to requisitions of

* See last paragraph of Townsend to Fry, November 21, p. 1085.

provost-marshals for military protection to officers of that department and for custody of drafted men, deserters, and other prisoners.

I addressed my letter directly to you because the decisions of subalterns in the War Department are based upon technical grounds, and are therefore not always wise or judicious under extraordinary circumstances.

The letter in question sets forth the whole matter clearly, and I deem it of such consequence that I am very desirous for the interest of the public service that it should be examined and decided by you.

The necessary examination will require but a few moments, and I trust sincerely that you may find leisure to make it.

Very respectfully and truly yours,

JNO. POPE,
Major-General, Commanding.

BROOKLYN, *November 26, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War:

MY DEAR SIR: I have the honor to acknowledge the receipt of your telegraph of 24th instant in regard to enlisting of colored troops. I enlisted six volunteers of that class yesterday and will, in my opinion, be able to fill up a full regiment in a short time.

Your dispatch says that authorizations will be issued to suitable persons on application, &c., but you do not say where the application for the authorization is to be made. I will therefore proceed to complete such arrangements as may be necessary to carry out the views of the Department in this matter and at once proceed with the organization, in connection with my other duties, and issue to suitable persons the necessary authorizations, which, however, shall not be binding upon the Government or implicate it in any manner until the President shall approve of them and the authorized officer has complied with the provisions of General Orders, No. 144, Adjutant-General's Office, War Department. The organization must have a head in order to make it a success.

Trusting that the above may meet your favorable consideration,

I am, with great respect, yours, truly,

F. B. SPINOLA,
Brigadier-General of Volunteers.

STATE OF KANSAS, EXECUTIVE DEPARTMENT,
Topeka, November 27, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: Capt. Sidney Clarke, acting assistant provost-marshal-general, furnished me with a copy of your letter to him, dated War Department, Provost-Marshal-General's Office, Washington, D. C., November 10, 1863.

That letter directs him to "co-operate fully" with the Governor of the State in reference to filling the quota called for by the President's proclamation October 17, 1863.

I have the honor to request that no attempt for the present be made by the provost-marshals of this State at recruiting for old men or new organizations, and for these reasons: I have just completed the Fifteenth Regiment, and it is in the field; the Sixteenth is now over half full, and in a few days will be filled. Besides, I have raised companies for the Second, Sixth, Ninth, and Fourteenth, putting them at their minimum strength. I am also engaged in recruiting for the Seventh and Eleventh.

I have been engaged earnestly in this work, knowing the wants of the Government, its necessities, as well as its wants, and if permitted to go on I shall be able to furnish troops sufficient to meet the quota called for by the President in his proclamation by the 1st of January next without reference to the excess that the State has heretofore furnished.

I have also to request that the First Kansas Volunteer Regiment (infantry) shall be ordered home to recruit. This regiment bore the brunt of the first severe battle in the West—that fought at Wilson's Creek under the brave and lamented Lyon. It has been in the field ever since, doing good work for the cause and the country, until its ranks are sadly thinned. A full regiment at first, it numbers now less than 300.

I am, very respectfully, your obedient servant,

THOS. CARNEY,
Governor of Kansas.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, November 27, 1863.

ADJUTANT-GENERAL OF ILLINOIS,
Springfield, Ill.:

GENERAL: I have the honor to acknowledge the receipt of your letter of the 6th instant, covering a statement of troops furnished by the State of Illinois. On the 26th instant I telegraphed you the result of a re-examination of our rolls and records, and I now respectfully inclose the detailed statement thereof,* in which is embraced all original organizations and recruits therefor. It will be seen that your records and those of this Department show a difference of 1,263 (137,531—136,268=1,263), which, with our present rolls and returns, cannot be passed to the credit of the State. The 3,129 men resulting from an adjustment between the States of Illinois and Missouri will be duly credited to the State of Illinois and deducted from the credits given Missouri. If, upon an examination of the statement herewith, it should appear that any of the organizations are involved in the aforesaid adjustment, please advise me of the fact. The missing rolls noted on your statement will be supplied you by copies from this office so soon as they can be prepared; this, from the pressure on our roll-room, will require some little time. Copies of the rolls asked for in your letter of September 14 were forwarded to you on the 3d day of October.

I have the honor, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

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* Omitted.

STATE OF PENNSYLVANIA,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Harrisburg, November 27, 1863.

Col. JAMES B. FRY, U. S. Army,
Provost-Marshal-General, Washington City, D. C.:

COLONEL: I have the honor to report to you that I have conferred with the Governor upon the propriety of authorizing recruiting agents to make enlistments, agreeably to authority given me in letter from your office of 19th instant.

I had objections to such a system, which have been strengthened by the opinion expressed by Governor Curtin as to the character of some of the men nominated for such positions. I expressed my objections to Governor Curtin and understood him to concur with me.

I have, therefore, done nothing toward authorizing recruiting agents to make enlistments, and made no arrangements to provide for the transportation of recruits from place of enlistment to provost-marshal's headquarters, but await further orders on this subject.

Very respectfully, your obedient servant,

J. V. BOMFORD,
Lieut. Col. Sixteenth U. S. Infty., Actg. Asst. Prov. Mar. Gen.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, November 28, 1863.

Maj. Gen. H. W. HALLECK,
General-in-Chief:

GENERAL: I inclose a confidential report of the detective I sent from Buffalo. He has seen, as you will observe, a large number of prominent rebel refugees, and having been with them at the South, had free communications with them. I am very much disposed to adopt his views. I shall, nevertheless, send a small body of troops to Fort Montgomery, at Rouse's Point. Vermont has been provided for by the Governor. There is, however, need of guns for a company of artillery just recruited, and I will endeavor to procure them.

I am, very respectfully, your obedient servant,

JOHN A. DIX,
Major-General.

[Inclosure.]

NOVEMBER 25, 1863.

Maj. Gen. J. A. DIX:

DEAR SIR: I left Buffalo the 16th for Niagara Falls and Clifton. I spent the night at the Falls and took a cruise over to Clifton; fell in company with Lieut. L. S. Ellis, of C. S. Army, of Abingdon, Va., at one time a recruiting officer and sentenced to be shot by order of General Burnside; also W. H. Larkington and A. G. Young, of Greeneville, Tenn., from whom I learned of several parties at different places. I went to Saint Catherines and there met Maj. W. W. Deloss, of Maryland, and several Kentucky refugees and their families, all of whom I conversed with. I then went to Hamilton and there met Robert Walker, of Texas; E. F. Loveridge, of Texas, formerly the editor of a daily paper that was destroyed in Troy, N. Y.; also A. C. Williams and others; all are stopping there. Loveridge is a sensation speaker on the American war and the resources of the Confederate States.

From Hamilton I went to Windsor and had the honor of dining with C. L. Vallandigham at Hyson Hotel, and met there several escaped captured prisoners from the different Yankee camps. They are mostly out of funds and are, as a class, of little account. I had a conversation with Lieutenant Stone, of Lexington, Ky., but gained but little information, as all seems quiet there. I left for Toronto, via Port Huron, and there met Colonel Jones, a lecturer on the war, and a man that has several rebel boarders at his house. I also met H. W. Bailey, of Arkansas; Withers and Wright, tobacco dealers, of Kentucky; Presland and Watson, Reverend Doctor Robinson, of Henderson County, Ky.; Mr. Lawrence, of Kentucky; Captain Corbit, of Portsmouth, Va.; W. M. Wilson, of South Carolina. I was introduced to them by Colonel Jones as lately from the South and had every opportunity to talk freely with them. I then left for Montreal, where I found more than at any other place. I stopped at Donegana's Hotel and found most all the boarders from the rebel States, but the largest bulk are housekeeping, and it would require a long residence there to get acquainted with them all. I met there a Mr. Johnson from Savannah, Ga., bound to Liverpool to purchase a steamer. I send you a letter intrusted to me to mail. I opened it to gain information. I also met several others bound to Liverpool, England, and to different parts of the Canadas to purchase steamers. I inclose letters to L. P. Howard, Nassau, New Providence; Henry Cobra, of Charleston, S. C.; Maj. Leo D. Walker; all of them were intrusted to me to forward; also a letter to Col. I. L. Bowen. You can open them if you think best, as they may give you some information. Walker was the former aide to General Ripley, of Charleston, S. C. You can return to me all letters you do not wish to retain. I have ample means to talk with a heap of rebels and others, and all agree that they do not believe any demonstration was intended. It seems that a party of several rebels was got up to go on a grand hunt into the interior, and in getting guns and provisions together and other things was the origin of the different reports. They all ridicule it to a man, and all agree it was a big scare. At all events, I have talked with men that ought to have been in the confidence of the rebels if anything was intended.

My representations to all was that I was lately arrived and my business in Canada was to look for a good steamer, and all were, or seemed to be, willing to give, and offered me all the aid possible. I regret, sir, that I have not been able to accomplish more, but with my hurried journey I have done my best to find all that I could. I inclose my bill of expenses for the trip.

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54 AND 56 EXCHANGE PLACE,
New York, November 28, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

DEAR SIR: I take pleasure in presenting to you the Hon. Orlando Kellogg, Member of Congress from the Sixteenth District of this State; the Hon. James A. Bell, who represents the Eighteenth District in our State Senate; General Thomas Hillhouse, adjutant-general and chief of my staff during the last eighteen months of my administration as Governor, and William H. Bogart, esq., a resident of Auburn and one of our most highly esteemed citizens.

These gentlemen visit Washington at the request of Governor Seymour. They are all unconditional Union men and earnest supporters of the Administration. They desire to consult the Government in relation to raising the number of volunteers called for by the President from this State, in the hope of being able to furnish the number required and thereby render drafting unnecessary. They will present:

First. The desirability of apportioning quotas to each town in the several Congressional districts, the towns furnishing their proportion to be exempt from draft.

Second. The propriety of the same bounties and privileges being offered by the Government to volunteers who enlist in the new regiments which are already in process of organization in the State and authority being given for their completion.

Third. The question of consolidating companies of regiments in the field, permitting officers, who might thereby be rendered supernumerary, to remain in the service and sending them home to recruit new companies in the localities in which their regiments were raised to be attached thereto, thereby filling up and perpetuating the existence of old regiments.

In commending these gentlemen to you I desire to add that the propositions above set forth appear to me reasonable, and, if not regarded as inconsistent with the interests of the public service, I hope the Government will favorably consider the suggestions.

I am, with much respect, very truly, yours,

E. D. MORGAN.

STATE OF PENNSYLVANIA,
OFFICE ACTG. ASST. PROVOST-MARSHAL-GENERAL,
Harrisburg, November 28, 1863.

Col. JAMES B. FRY, U. S. Army,
Provost-Marshal-General of United States:

COLONEL: I have the honor to report that in compliance with your communication of the 10th instant I have had an interview with Governor Curtin in relation to the subject-matter referred to.

In consequence of the almost continual absence of the Governor, and his being occupied with other matters when at home, the interview was greatly delayed.

The Governor proposes an entire new plan for recruiting in this State, which plan is substantially as follows: The present Pennsylvania regiments in the field numbering less than 500, rank and file, to be consolidated, the retiring officers—colonels, lieutenant-colonels, majors, captains, and lieutenants—to retain their commissions and to be immediately detailed as recruiting officers to recruit new regiments under the immediate auspices of the Governor, who volunteers to cause reports to be regularly made to this office.

The reasons urged by the Governor in favor of his plan were:

First. The recruiting interest would thereby be placed in more responsible hands.

Second. The people would more readily enlist at the instance of men of experience in the field who had themselves experienced the hazards of battle.

Third. Expense would be saved, as the recruiting officers under his system would only receive their fixed salaries, and at the same time no injustice done to these officers retired for the recruiting service.

Fourth. The surplus surgeons caused by the proposed consolidation could be employed as surgeons of boards of enrollment. I did not distinctly understand whether the Governor intended his plan to be adopted in exclusion of the present system or simply auxiliary to it.

I am, colonel, very respectfully, your obedient servant,

J. V. BOMFORD,
Lieut. Col. Sixteenth U. S. Infty., Actg. Asst. Prov. Mar. Gen.

FORT MONROE, VA., *November 29, 1863.*

Honorable SECRETARY OF WAR:

After carefully examining the subject, I am convinced that by offering a small bounty, not exceeding $10 per man, to colored recruits, that more than the expense can be saved in the time of recruiting and the facilities for getting men from the rebel lines. Please authorize the expenditure. We have raised a full company of cavalry in three days; the first company of colored cavalry.

B. F. BUTLER,
Major-General, Commanding.

WAR DEPARTMENT,
Washington, D. C., November 29, 1863.

Major-General BUTLER,
Fort Monroe, Va.:

I am directed by the Secretary of War to say, in answer to your telegram of this date, that you are authorized, until further orders, to pay a bounty not exceeding $10 per man for colored recruits in your department. You will report the number of recruits to the Provost-Marshal-General, who has charge of the fund from which the expenditure will be paid, and also to Major Foster, chief of the Bureau for Organization of Colored Troops.

By order of the Secretary of War:

JAS. A. HARDIE,
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE MONONGAHELA,
Pittsburg, Pa., November 29, 1863.

ADJUTANT-GENERAL U. S. ARMY,
Washington:

SIR: On the morning of the 12th instant the Secretary's dispatch was received directing me "to proceed to Erie with any military force I (you) may have at hand."

Orders were given to the company on duty in this city as provost guard, composed of six and nine months' men, to be ready. General Copeland was asked for the loan of one of his permanent companies at Camp Copeland. A call was made on Knap's battery (late a three-months' company that went into Virginia when called upon to re-enforce General Kelley). The four companies of departmental troops in Belmont County, Ohio, Kemp's and Brown's companies, Lawrence County, Pa., were all telegraphed to to assemble and proceed without delay to Erie.

I left Pittsburg in special train at noon and was landed in Erie at 9 p. m.

Colonel Burton was sent to Belmont County to hasten forward the troops from that section. Griffith's company, increased by a dozen men of the camp of drafted men, in all about seventy men, arrived in Erie soon after midnight.

Captain Gruntz, with a large company from Camp Copeland and the men of Knap's battery, under Lieutenant Harris, arrived on the 13th; Colonel Burton, with the four companies, 339 aggregate, from Belmont, on the 14th. They were delayed by transportation not being ready. Captain Kemp arrived from Lawrence County on the 15th.

Lieutenant Brown's company did not get up until the rest of the troops were being sent home. In all, some 500 men were collected from a distance of 250 miles, and all save Griffith's and Gruntz's men scattered and engaged in civil pursuits.

Having more troops than were needed and could be well accommodated, I offered some to General Dix, who thankfully accepted the use of Captain Gruntz's company, drafted men, that went to Buffalo early on Monday morning, the 16th.

This company was the only organization of troops, save twenty-five men of the Invalid Corps with forty cartridges, that was in Buffalo.

A small field-work commanding the entrance to the harbor of Erie was laid out by Colonel Burton, and worked upon with commendable zeal by the citizens.

There appearing no particular emergency or need of the troops, on Wednesday morning Lieutenant Harris' company, on Thursday morning the four companies from Belmont, on Friday Griffith's and Kemp's companies, were sent home. Captain Gruntz's was recalled also on Friday.

I am induced to make this report more to show the success of the Departmental Corps, though few in number, as a means of defense than anything else.

Very respectfully,

W. T. H. BROOKS,
Major-General.

Strength of the Departmental Corps at date of muster in, no later return being on file.

	Date of muster in.	Strength.	
		Commissioned officers.	Enlisted men.
	1863.		
Capt. Joseph P. Arrick's company	Aug. 19	3	91
Capt. Hamilton Eaton's company	Aug. 18	3	83
Capt. John Henderson's company	Aug. 17	3	89
Capt. Samuel Beard's company	Aug. 28	3	85
Capt. J. R. Kemp's company	Aug. 28	3	83
Capt. J. L. Deens' company	July 16	3	98
First Lieut. J. C. Porter's company	Oct. 15	1	42
First Lieut. J. M. Brown's company	June 24	1	41
Recruits for Arrick's company	Oct. 15	.....	6
Recruits for Henderson's company	Sept. 18	.....	7
Recruits for Brown's company	July 8	.....	11
Do.	Nov. 25	.....	8
Do.	Aug. 13	.....	18

GENERAL ORDERS, No. 384. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, November 30, 1863.*

Complaints having been made of interference by military officers in the running of trains and the transportation of troops and supplies on railroads, such interference is positively prohibited. Any neglect of railroad companies to furnish proper transportation will be promptly reported to the War Department.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WASHINGTON, *November 30, 1863.*

Maj. Gen. JOHN A. DIX,
Commanding, New York:

GENERAL: Yours of the 28th is just received. I fully agree with you in your opinion that there was no real foundation in the pretended raid on the northern lakes and frontier. If the rebels had any definitive object in view it was simply to get up a stampede on that frontier so as to draw as many troops as possible from the armies in the field. By sending more troops there we shall play into their hands, for every man of ours kept from the field now is so much gain to them.

Very respectfully, your obedient servant,

H. W. HALLECK,
General-in-Chief.

WAR DEPARTMENT,
Washington City, November 30, 1863.

Brigadier-General COX,
Sandusky, Ohio:

If there be no further duty at Sandusky you may leave there and report for duty to the general commanding the army in East Tennessee.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., November 30, 1863.

GOVERNOR OF INDIANA,
Indianapolis, Ind.:

You will be permitted to raise a battalion or regiment of colored troops under the regulations governing that branch of the service. Authority in form, with instructions, will be sent by mail.

By order of the Secretary of War:

C. W. FOSTER,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington, D. C., November 30, 1863.

Brig. Gen. J. T. BOYLE,
Louisville, Ky.:

Please report what you are doing in respect to organizing colored teamsters, if anything. Report immediately. The Quartermaster-General has suggested certain regulations for the service, which, in

the form of an order from the Quartermaster's Department, will be transmitted to you in case anything is being done under the authority given you by my last telegram.

EDWIN M. STANTON,
Secretary of War.

LOUISVILLE, *November 30, 1863.*

Hon. E. M. STANTON:

I have not gotten Governor Bramlette's consent. Will see him day after to-morrow. I ordered negroes in meantime to be employed as teamsters, which was done. I propose to get consent of the owners to enlist them. Does your restriction, "shall be loyal," exclude quiet, law-abiding men whose feelings and sympathies are with the South and Southern institutions? In Judge Ballard's court it is made to apply only to those guilty of some act. Will write fully from Camp Nelson.

J. T. BOYLE,
Brigadier-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., November 30, 1863.

Brig. Gen. F. B. SPINOLA,
Brooklyn, N. Y.:

Your letter of the 26th instant is received and your action in regard to raising colored troops disapproved. You will stop all further proceedings in this matter. Colored troops will not be recruited in the State of New York by any person until regularly authorized by the Department.

By order:

E. D. TOWNSEND,
Assistant Adjutant-General.

PENNSYLVANIA, EXECUTIVE CHAMBER,
Harrisburg, Pa., November 30, 1863.

Lieut. Col. J. V. BOMFORD,
Acting Assistant Provost-Marshal-General:

COLONEL: Believing that men who are or who have been in active military service can be most influential as recruiting officers, and that it is due them that in the disbursement of patronage connected with the service they should have the preference over civilians, I have concluded not to approve the appointment of any person as recruiting agent who has not been in the service, unless such nomination be accompanied with a certificate stating that no suitable person now in service, or who has been honorably discharged from it, can be found to fill the position. I therefore respectfully return to you without my approval the nominations presented to me, which are not in accordance with the views herein expressed.

I am, colonel, very respectfully, your obedient servant,

A. G. CURTIN.

(Same to Maj. C. C. Gilbert, Philadelphia, Pa.)

Official copy respectfully furnished for the information of the President.

A. G. CURTIN.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, November 30, 1863.

GOVERNOR OF RHODE ISLAND,
Providence, R. I.:

SIR: Since the receipt of Colonel Bailey's letter of the 27th ultimo, written by direction of Your Excellency, I have had our rolls re-examined, and find that the State of Rhode Island has furnished and had mustered into the U. S. service, to include October 31, 1863, 9,150 three-years' troops. Our records, therefore, now show as follows:

Per revised statement to October 31, 1863, 9,150, including company Hospital Guards. Number credited per statement May 19, 1863, 6,663. Gain, 2,487. The number (2,487) will be passed to the credit of the State. It is made up of volunteers mustered into service between May 19 and October 31, and all men mustered into service prior to May 19, but were not reported in statement of that date in consequence of the proper rolls and records not being filed in this office. I would respectfully request that the foregoing figures may be compared with the records of your adjutant-general, and that I may be advised of the result.

I have the honor, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

GENERAL ORDERS, No. 386. WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, December 1, 1863.

The time for enlisting recruits in the Regular Army under the provisions of General Orders, No. 190, of June 25, 1863, and No. 338, of October 16, 1863, current series, from this office, is hereby extended to June 25, 1864, during which the extra bounty of $300 will be paid.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 387. WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, December 1, 1863.

The time for enlisting veteran volunteers in the respective States under the provisions of General Orders, No. 191, current series, from this office, is hereby extended to January 5, 1864.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

UNION LEAGUE CLUB-HOUSE,
Union Square, New York, December 1, 1863.

Hon. E. M. STANTON,
Secretary of War:

DEAR SIR: On behalf of the Union League Club of this city we respectfully ask an authorization for a regiment of colored troops to be raised in the State of New York under the auspices of that club. We have already made an application to His Excellency Governor [illegible]nd have received a reply, of which we inclose a copy.

The Union League Club is composed of over 500 of the wealthiest and most respectable citizens of New York, whose sole bond of association is an unflinching determination to support the Government.

They have subscribed a large sum, to be appropriated to the raising of a colored regiment, and will procure much more. They believe that by their exertions and influence they can, with the permission of the Government, put in the field a regiment worthy to stand side by side with the Fifty-fourth Massachusetts.

If we are so fortunate as to receive your authorization, we shall take immediate steps to carry out our plan, and shall endeavor to present for approval able and experienced officers whose heart is in the work.

We are, sir, very respectfully, your obedient servants,

GEO. BLISS, JR.,
LE G. B. CANNON,
Committee.

[Inclosure.]

STATE OF NEW YORK, EXECUTIVE DEPARTMENT,
Albany, November 27, 1863.

Messrs. ALEX. VAN RENSSELAER,
LE G. B. CANNON, GEORGE BLISS, Jr.:

GENTLEMEN: I have received your communication in relation to the organization of negro regiments in companies. The matter rests entirely with the War Department at Washington. I understand that permission has been given to persons in Brooklyn to raise such regiments, and I suppose, therefore, you can get a like authorization.

I send you a copy of a letter written by me to Mr. Rodgers, of New York, which covers the whole ground of your communication.*

Yours, truly, &c.,

HORATIO SEYMOUR.

WAR DEPARTMENT,
Washington City, December 2, 1863.

Brig. Gen. J. G. TOTTEN,
Chief Engineer:

GENERAL: The Secretary of War directs that you detail Brig. Gen. J. G. Barnard to make an examination of the shore of Lake Erie, and designate at what points temporary works can be advantageously erected to guard the States of New York, Pennsylvania, and Ohio against hostile raids from Canada.

I am, general, &c.,

JAS. A. HARDIE,
Assistant Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., December 2, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: Under the present call for 300,000 volunteers particular cities, counties, and towns, in order to obtain their quotas and avoid draft,

* The letter (here omitted) states that the State bounty will be paid to colored men.

are adding local bounties to those offered by the Government. This draws to these points men who reside or have resided in places where such bounties are not offered.

It is necessary in connection with recruiting to decide whether men enlisting will be credited to the place where they reside, or whether they will be credited to the place where they enlist and receive the local bounty.

As a man may change his residence at any time and for any cause, even to receive additional bounty for enlistment, it seems to me that the best way is to credit him where he accepts bounty and enlists.

I have the honor to be, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

Approved.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., December 2, 1863.

His Excellency JOHN A. ANDREW,
Governor of the State of Massachusetts, Boston, Mass.:

SIR: In consequence of your dispatch to the effect that the laws of Massachusetts will not permit the payment of bounties to volunteers unless their officers are commissioned by the Governor of the State, I am directed by the Secretary of War to say that so much of Department letter of the 23d ultimo as states that the officers of the colored cavalry regiment which you were therein authorized to raise would be appointed by the President is annulled, and the officers of said regiment may be appointed by you. Said appointments and muster into service to be in accordance with the Revised Mustering Regulations.

I have the honor to be, &c.,

C. W. FOSTER,
Assistant Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., December 2, 1863.

Hon. JAMES A. BELL and
WILLIAM H. BOGART,
Washington, D. C.:

GENTLEMEN: I have the honor to acknowledge the receipt of your communication of the 2d instant,* and to reply as follows:

The following propositions, submitted by your commission, on the part of the Governor of New York, have received the approval of the War Department, and will govern it in the matters referred to.

First. That quotas be apportioned to towns and wards in the several Congressional districts of the State of New York, and that assurance be given to such towns and wards as may furnish their full quota of volunteers, under the recent call of the President for 300,000 men, that they will be exempt from the pending draft, should one be rendered necessary in January next.

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*Omitted.

Second. That the several towns and wards receive credit for all such volunteers as may have been mustered into the service of the United States since the draft, and that the number so credited be deducted from their proportion of the quota assigned the State under recent call.

Third. That the following-named regiments, in process of organization in the State of New York, be placed on the same footing in regard to bounties as regiments in the field, viz: Second Regiment New York Veteran Cavalry; has ten companies in the field; requires two companies to complete it. Thirteenth Regiment New York Cavalry; has nine companies in the field; requires three companies to complete it. Fifteenth Regiment New York Cavalry; has ten companies in the field; requires two companies to complete it. Eighteenth Regiment New York Cavalry; has eight companies in the field; requires four companies to complete it. Twenty-first Regiment New York Cavalry; has ten companies in the field; requires two companies to complete it. Fourteenth Regiment New York Artillery; has seven batteries mustered in; requires five batteries to complete it.

Fourth. That the Governor be authorized to raise complete companies of infantry, to be sent to such regiments in the field as have less than their proper number of company organizations. This, however, confers no authority to consolidate regiments.

Fifth. That without delaying the progress of recruiting or drafting, for the purpose of giving a renewed examination of the subject of the quota of men to be raised from the State of New York, and of certain inequalities alleged therein, a commission shall be appointed, satisfactory to the Governor and the Department, who shall fully revise and report upon the question in difference.

I am, gentlemen, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

SAINT LOUIS, *December 2, 1863.*

Hon. E. M. STANTON:

While General Blunt was commanding in Kansas authority was given him by the War Department to raise the Fourteenth Kansas Cavalry and a colored regiment. Since he is relieved from command I respectfully request to be informed whether he retains this authority or whether it passed to his successor in command.

J. M. SCHOFIELD,
Major-General.

WASHINGTON, *December 3, 1863—3 p. m.*

Major-General BUTLER,
Commanding:

The Secretary of War directs me to inform you that your proposition to appoint provisional officers for the colored cavalry regiment forming by you, subject to the approval of the President, is approved, and that you can proceed to muster into service the officers commissioned by you for that service, making report to this Bureau of the name and rank of the officer and date of mustering in.

C. W. FOSTER,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, December 3, 1863.

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: I have the honor to make the following report of this department:

During most of the past year the Adjutant-General of the Army has been employed, under special directions from the Secretary of War, in a responsible sphere of duties at the Southwest. The character of business transacted in the Adjutant-General's Office was described in the last annual report. As was anticipated, it has increased in extent with the continuance of the war, and will still more increase. Two new branches have been added to the office—one by the establishment of a "Bureau for Colored Troops;" and the other, an incident to the draft, for regulating the distribution of drafted men to regiments after they are delivered at the principal rendezvous by the provost-marshals. Thus each new branch of the military service as it arises, although it may be immediately conducted under another department, adds proportionally to the labors of this office. But no pains will be spared fully and promptly to meet all the varied demands which may be made upon it.

Much solicitude is felt in regard to the reduced ranks of the Regular Army. Comparatively few recruits are now enlisted for it, partly because of the greater bounties paid to volunteers by States, counties, and associations, and partly owing to the term of service being five years instead of three. The official reports of battles have invariably spoken in high terms of the good conduct of the regulars wherever they have participated, and their thinned ranks after each encounter bear testimony that they are in no wise behind our gallant volunteers in steadiness and unyielding bravery under fire. It is earnestly recommended that such inducements as may be deemed effective and proper may be offered by Congress for enlistments in the regular regiments, and, among others, that the term be fixed for three years for all enlistments made during the present war. The fifth section, act approved July 29, 1861, establishing the term of three years, expired by limitation January 1, 1863.

Attention is respectfully asked to the ninth section, act approved July 17, 1862, regulating the pay of chaplains, in these words:

> That hereafter the compensation of all chaplains in the regular or volunteer service or army hospitals shall be one hundred dollars per month and two rations per day when on duty.

A strict construction of this act entirely deprives a chaplain of pay when not on duty; but it is supposed the intention of the law really was only to stop the two rations. Such intention would have been expressed so as to leave no doubt on the subject by a transposition of words, as follows: "one hundred dollars per month; and, when on duty, two rations a day." Under the thirty-first section, act approved March 3, 1863, chaplains would then, like all other officers, receive half their pay when absent on leave for other cause than wounds or sickness, and full pay, without rations, when absent from those causes.

A serious evil arising from the absence of officers from duty has in the past year been in great part remedied. Two boards are in session—one at Annapolis, the other at Cincinnati—before one of which all officers who have left their commands in consequence of ill-health

re ordered to appear as soon as they are able to travel. They ndergo an examination by the Board and are recommended, accordng to their condition, for light duty, for further leave of absence, or or medical treatment in a general hospital of the city where the Board is in session. But if found fit for duty the president of the Board orders them forthwith to their regiments. The reports of he boards are a guide to the Adjutant-General in making details for nustering, recruiting, or other light duty, and in recommendations or leave of absence, or discharge, where the nature of the disability equires. The reports of the boards, taken in connection with regiental reports of absent officers, and the surgeons' certificates from uch officers, form a complete system of accountability for absence rom duty.

The officers of the Adjutant-General's Department are employed as ollows:

One brigadier-general, on special service organizing troops in the outhwest; one colonel, in charge of the Adjutant-General's Office, War Department; one colonel and one major, major-generals of volnteers; one lieutenant-colonel and four majors, on duty in the Adjutant-General's Office; one lieutenant-colonel (brigadier-general of olunteers), adjutant-general, Army of the Potomac; one lieutenantolonel and two majors, at headquarters of military departments; ne lieutenant-colonel, colonel [and] Provost-Marshal-General; one ıajor, on duty in the office of the General-in-Chief; one major, rigadier-general of volunteers; three majors, in Provost-Marshalieneral's Bureau; one major, on duty with Military Governor of District of Columbia; an assistant adjutant-general of volunteers, vith the rank of major, is in charge of the Bureau for Colored Troops; is report is herewith submitted. A captain of artillery (additional ide-de-camp, with rank of major) is also on duty in the Adjutantieneral's Office.

Respectfully submitted.

E. D. TOWNSEND,
Assistant Adjutant-General.

[Inclosure.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
BUREAU FOR COLORED TROOPS,
Washington, D. C., October 31, 1863.

Ion. E. M. STANTON,
Secretary of War, War Department, Washington, D. C.:

SIR: In obedience to your instructions the following report of the perations of this Bureau is respectfully submitted:

The Bureau for Colored Troops was established by General Orders, Io. 143, current series, War Department, dated May 22, and a few ays subsequent thereto the officer now in charge entered upon his uties, in compliance with orders from the Adjutant-General of the rmy.

Under the authority of the War Department two colored regiments ad already been raised in Massachusetts; in the State of North arolina one regiment had been recruited by Brig. Gen. E. A. Wild, . S. Volunteers; in the State of South Carolina three small regiments ad been organized by Brig. Gen. R. Saxton, U. S. Volunteers; Hon. ames H. Lane had recruited one regiment in Kansas; Brigadier-Genral Ullmann had left New York and, taking with him the officers

necessary for a brigade, had proceeded to the Department of the Gulf, where, under the direction of the department commander, five regiments of infantry and two batteries of artillery have been organized; Brig. Gen. L. Thomas, Adjutant-General U. S. Army, had organized, or put in process of organization, in the Valley of the Mississippi, about twenty regiments, some of which have since rendered important service at Vicksburg and elsewhere.

Under these circumstances the attention of the Department was turned to the Middle and Eastern States. Col. William Birney, Second U. S. Colored Troops, then but recently appointed, was directed on the 13th of June, 1863, to recruit and organize colored troops in this District. The first regiment, known as the First Regiment U. S. Colored Troops, was recruited, mustered into service, put in a good state of drill and discipline, and ordered to the field within sixty days. The organization of a second regiment was immediately commenced, and is now recruited nearly to the maximum, and is known as the Second Regiment U. S. Colored Troops.

On the 17th of June, 1863, Maj. George L. Stearns was appointed recruiting commissioner for U. S. colored troops, and fixed his headquarters at Philadelphia, Pa., where a committee of patriotic citizens was engaged in raising colored troops, under authority issued by the Department June 18, 1863. This committee commenced recruiting immediately, and on the 5th of August the organization of one regiment, known as the Third Regiment U. S. Colored Troops, had been completed, and the regiment ordered to Morris Island, S. C., in time to take part in the operations against Forts Wagner and Sumter. The second regiment organized at Philadelphia, known as the Sixth Regiment U. S. Colored Troops, left that city on the 8th day of October, and another regiment, known as the Eighth, is nearly full. To the committee above named, and other citizens of the Middle and Eastern States, who have given freely of their time and money to advance this work, the Department is largely indebted for very valuable assistance.

On the 6th of July, 1863, Maj. Gen. R. C. Schenck was authorized to commence recruiting for this branch of the service in Maryland. A recruiting station was established in Baltimore, under the superintendence of Colonel Birney, about the middle of the same month, and a regiment known as the Fourth Regiment U. S. Colored Troops was recruited and organized in less than seven weeks, and on the 25th of September was under marching orders. The organization of another regiment, known as the Seventh Regiment U. S. Colored Troops, was immediately commenced and has now attained nearly the maximum number.

Nearly simultaneously with the commencement of operations in Pennsylvania and Maryland the Governors of Ohio and Rhode Island were each authorized to raise one regiment, the former a regiment of infantry and the latter a regiment of artillery. The Ohio regiment, known as the Fifth Regiment U. S. Colored Troops, has now nine full companies, while the Rhode Island regiment, known as the Fourteenth Regiment Rhode Island Heavy Artillery, has 900 men, about half the maximum number for an artillery regiment.

On the 22d of July Maj. Gen. James G. Blunt was authorized to raise one regiment in Kansas. This regiment is now full, and Major-General Blunt has been authorized to raise another, which will be known as the Eleventh Regiment U. S. Colored Troops.

The Governor of Michigan was authorized on the 25th of July, 1863, to raise one regiment of infantry. For this regiment three full companies have been recruited.

In addition to the foregoing, authority to raise colored troops has been issued as follows, viz:

The Governor of Delaware, one regiment of infantry, June 24, 1863; the Governor of Iowa, one regiment of infantry, July 27, 1863; the Governor of Wisconsin, one regiment of infantry, July 31, 1863; the Governor of Illinois, one regiment of infantry, September 25, 1863; Brig. Gen. Thomas Ewing, jr., one regiment of infantry in Eastern Kansas, August 8, 1863; Maj. Gen. J. G. Foster, one regiment of infantry, September 30, 1863.

No material progress in raising the above regiments has yet been reported.

While the operations above recited have been in progress in the Northwestern, Western, Middle, and Eastern States, one additional regiment has been raised in each of the Carolinas, and sixteen regiments have been added to the four previously raised in Louisiana, while Brig. Gen. L. Thomas, Adjutant-General U. S. Army, has been vigorously at work in the Valley of the Mississippi from Iowa to the Gulf of Mexico. Of the operations of General Thomas it is not necessary or proper that I should speak, his reports being forwarded directly to the Secretary of War, under whose immediate instructions he is acting.

Classifying the troops by States, the following statement presents a brief outline of the work accomplished to this date:

Massachusetts, two regiments of infantry	2,000
Rhode Island, one regiment artillery (incomplete)	900
Pennsylvania, three regiments infantry (one incomplete)	2,500
Maryland, two regiments infantry (one incomplete)	1,800
North Carolina, two regiments infantry (muster-in rolls of second regiment not received, but known to be full)	2,000
South Carolina, four regiments infantry (one very small)	1,700
Alabama, three regiments (two of infantry and one of artillery, all incomplete)	1,295
Mississippi, five regiments (four of infantry and one of artillery, all incomplete)	2,886
Louisiana, twenty-one (eighteen of infantry, one of artillery, and two of engineers)	12,681
Arkansas, three regiments infantry (incomplete)	1,790
Tennessee, five regiments (three of infantry and two of artillery)	3,955
Kansas, two regiments infantry	1,600
Ohio, one regiment infantry (nine companies)	800
Iowa, one regiment infantry (incomplete)	600
Michigan, one regiment infantry (three companies)	250
District of Columbia, two regiments infantry	2,000
Total	38,707

RECAPITULATION.

Two regiments engineers	1,382
Six regiments artillery	3,716
Fifty regiments infantry	33,609
Total	38,707

Please see tabular statement appended to this report giving the designation of each regiment, the names of commanding officers, and the strength of each regiment as shown by the latest returns on file in the Adjutant-General's Office.

It will be observed that the foregoing figures disagree somewhat with the statement hereunto attached. This arises from the fact that muster-in rolls of troops known to have been mustered have not been received, and that I have, as far as possible, given credit to States for troops known to have been mustered in. The statement herewith gives their numbers as they now stand, after some months service in the field, in which they have in some instances been much reduced by disease and losses in battle.

The examining boards instituted in connection with this branch of the service, for the examination of candidates for appointment, present too important a feature to be passed over without remark. Three boards are now in session—one in this city, of which Maj. Gen. Silas Casey, U. S. Volunteers, is president; one at Cincinnati, Ohio, of which Col. Henry Van Rensselaer is president; and a third at Saint Louis, Mo., of which Col. Daniel Huston, Seventh Missouri Cavalry, is president. Fifteen hundred and thirty-four persons have been authorized to appear for examination. Of this number 918 have been examined. Five hundred and seventeen are reported qualified for command, as follows, viz:

Qualified for colonels	13
Qualified for lieutenant-colonels	19
Qualified for majors	36
Qualified for captains	98
Qualified for first lieutenants	137
Qualified for second lieutenants	221
Total	517

Four hundred and one have been rejected by the boards on account of mental or physical disqualifications. Of the number favorably reported by the boards, 323 have been appointed; the appointments being confined, with few exceptions, to those regiments designated as "U. S. Colored Troops" in the tabular statement appended hereto.

It is possible that some meritorious candidates have been rejected by the boards, but the examinations have without doubt been conducted impartially, and have resulted in giving to this branch of the service a class of efficient and well-instructed officers.

The colored troops have already established for themselves a commendable reputation. Their conduct in camp, on the march, in siege, and in battle attests their discipline, their endurance, and their valor.

Soon after entering upon my duties in connection with this Bureau there was transferred to me, by your order, the sum of $10,000 from the fund for "collecting, drilling, and organizing volunteers." Nine thousand dollars of this amount have been transferred to Maj. George L. Stearns, assistant adjutant-general of volunteers and recruiting commissioner for colored troops, and the remainder to His Excellency the Governor of Ohio, to be expended in accordance with the law making the appropriation.

My accounts, with the necessary vouchers, have been duly rendered to the proper officers of the Treasury Department and Provost-Marshal-General's Bureau.

I have the honor to be, very respectfully, your obedient servant,

C. W. FOSTER,
Assistant Adjutant-General of Volunteers.

Statement of colored troops in the service of the United States October 31, 1863, compiled from the latest official reports.

No. of regiment.	Designation.	Commanding officer.	Strength.
1	1st U. S. Colored Troops	Col. John H. Holman	990
2	2d U. S. Colored Troops	Lieut. Col. Stark Fellows	800
3	3d U. S. Colored Troops	Col. B. C. Tilghman	775
4	4th U. S. Colored Troops	Col. S. A. Duncan	1,002
5	5th U. S. Colored Troops	Col. Lewis McCoy	750
6	6th U. S. Colored Troops	Col. John W. Ames	950
7	7th U. S. Colored Troops	Col. James Shaw, jr	700
8	8th U. S. Colored Troops		500
9	1st Tennessee Volunteers (African descent)	Col. E. Bouton	815
10	2d Tennessee Volunteers (African descent)	Lieut. Col. John Foley	610
11	3d Tennessee Volunteers (African descent)	Col. C. R. Thompson	976
12	1st Tennessee Heavy Artillery (African descent).	Col. L. G. Kappner	960
13	2d Tennessee Heavy Artillery (African descent).	Col. C. H. Adams	594
14	1st Arkansas Volunteers (African descent)	Col. W. F. Wood	663
15	2d Arkansas Volunteers (African descent)	Col. C. S. Sheley	334
16	3d Arkansas Volunteers (African descent)	Col. John Guylee	783
17	1st Kansas Volunteers (African descent)	Col. J. M. Williams	761
18	2d Kansas Volunteers (African descent)	Col. S. J. Crawford	870
19	1st North Carolina Volunteers (African descent)	Col. J. C. Beecher	1,002
20	2d North Carolina Volunteers (African descent)	Col. A. G. Draper	800
21	3d North Carolina Volunteers (African descent)		
22	1st South Carolina Volunteers (African descent)	Col. T. W. Higginson	662
23	2d South Carolina Volunteers (African descent)	Col. James Montgomery	562
24	3d South Carolina Volunteers (African descent)	Col. A. G. Bennett	370
25	4th South Carolina Volunteers (African descent)	Col. M. S. Littlefield	100
26	1st Alabama Volunteers (African descent)	Col. James M. Alexander	890
27	2d Alabama Volunteers (African descent)		80
28	1st Alabama Heavy Artillery (African descent)		325
29	1st Mississippi Volunteers (African descent)	Col. I. F. Shepard	505
30	2d Mississippi Volunteers (African descent)	Col. G. M. Ziegler	455
31	3d Mississippi Volunteers (African descent)	Col. R. H. Ballinger	551
32	6th Mississippi Volunteers (African descent)	Col. A. S. Smith	860
33	2d Mississippi Heavy Artillery (African descent).	Col. B. G. Farrar	515
34	1st Louisiana Engineers (African descent)	Col. Justin Hodge	847
35	2d Louisiana Engineers (African descent)	Col. John C. Cobb	535
36	1st Louisiana Native Guards (African descent)	Col. S. H. Stafford	1,025
37	2d Louisiana Native Guards (African descent)		612
38	3d Louisiana Native Guards (African descent)	Lieut. Col. H. Finnegass	981
39	4th Louisiana Native Guards (African descent)	Col. C. W. Drew	887
40	8th Louisiana Volunteers (African descent)	Col. H. Scofield	696
41	9th Louisiana Volunteers (African descent)	Col. H. Lieb	893
42	10th Louisiana Volunteers (African descent)	Col. F. M. Crandal	803
43	11th Louisiana Volunteers (African descent)	Col. E. W. Chamberlain	595
44	12th Louisiana Volunteers (African descent)	Col. C. A. Gilchrist	670
45	20th Regiment Corps d'Afrique	Lieut. Col. A. E. Buck	211
46	3d Regiment Corps d'Afrique	Maj. J. Langdon Ward	582
47	6th Regiment Corps d'Afrique	Col. A. B. Bottsford	442
48	7th Regiment Corps d'Afrique	Lieut. Col. James C. Clark	357
49	8th Regiment Corps d'Afrique	Col. Cyrus Hamlin	390
50	9th Regiment Corps d'Afrique	Col. John F. Appleton	351
51	10th Regiment Corps d'Afrique	Lieut. Col. L. L. Zulavsky	606
52	11th Regiment Corps d'Afrique	Maj. J. Hutchings	420
53	12th Regiment Corps d'Afrique	Lieutenant Dickey	412
54	1st Louisiana Heavy Artillery (African descent).		422
55	54th Massachusetts Volunteers (African descent)	Col. Robert G. Shaw	830
56	55th Massachusetts Volunteers (African descent)	Col. N. P. Hallowell	993
57	14th Rhode Island Heavy Artillery (African descent).	Col. Nelson Viall	900
58	1st Iowa Volunteers (African descent)		500

Recapitulation.—Fifty-eight regiments; total strength, 37,482.

Respectfully submitted.

C. W. FOSTER,
Assistant Adjutant-General of Volunteers.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, December 3, 1863.

Col. J. B. FRY,
Provost-Marshal-General, Washington, D. C.:

COLONEL: I have the honor to inform you that the State of Illinois is entitled to be credited with the following number of three-years' troops in addition to those embraced in the statement from this office of June 11, 1863:

Per revised statement from records received to November 21, 1863	136,368
Statement, June 11	125,321
Gain, credited to the State	10,947
Per adjustment between Governors of Illinois and Missouri, to be credited to Illinois and deducted from Missouri	3,129
Total additional credits	14,076

I am, colonel, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, December 3, 1863.

PROVOST-MARSHAL-GENERAL,
Washington, D. C.:

COLONEL: I have the honor to report that the State of West Virginia is entitled to the following additional credits of three-years' troops to June 30, 1863:

Per revised statement, June 30	18,682
Original statement, June 30	16,574
Gain, to be credited to the State	2,108

The number (2,108) has been obtained from rolls and records received at this office since the original statement was made.

I am, colonel, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., December 3, 1863.

Maj. J. W. T. GARDINER, U. S. Army,
Actg. Asst. Prov. Mar. Gen. for Maine, Augusta, Me.:

MAJOR: I have the honor to inclose herewith a copy of my letter of the 2d instant * to Hon. James A. Bell and William H. Bogart, and to say that the principles therein announced will, so far as they may be applicable, govern with regard to the State of Maine. Please communicate immediately this information to His Excellency Governor Abner Coburn.

I am, major, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

(Similar letter sent to Brigadier-General Hinks, New Hampshire; Major Clarke, Massachusetts; Brigadier-General Hays and Major

* See p. 1108.

Diven, New York, omitting clause as to communicating to Governor; Lieutenant-Colonel Buchanan, New Jersey; Major Gilbert and Lieutenant-Colonel Bomford, Pennsylvania; Major Jeffries, Maryland; Lieutenant-Colonel Darr, West Virginia; Colonel Baker, Indiana; Lieutenant-Colonel Hill, Michigan; Lieutenant-Colonel Lovell, Wisconsin; Major Duncan, Iowa; Colonel Alexander, Missouri; Captain Clarke, Kansas; Major Perkins, Connecticut.)

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., December 3, 1863.

Maj. F. TOWNSEND,
Acting Assistant Provost-Marshal-General, Albany, N. Y.:

You have already received the assignment of quotas under the call for 300,000 volunteers for the different Congressional districts under your control. Subdivide these among the different towns and wards. Make this subdivision in conjunction with the State authorities, taking the enrollment of the first class as the basis, and consider the volunteers mustered into service from each town and ward since the commencement of the present draft.

J. B. FRY,
Provost-Marshal-General.

(Same to Maj. A. S. Diven, Elmira, N. Y., and Brig. Gen. W. Hays, New York City.)

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., December 3, 1863.

GEORGE BLISS, Jr., Esq.,
Union League Rooms, New York:

SIR: I am instructed by the Secretary of War to inform you that you are hereby authorized, as the representative of your associates of the Union League, to raise in the State of New York one regiment of infantry to be composed of colored men, to be mustered into the service of the United States for three years or during the war. To these troops no bounties will be paid. They will receive $10 per month and one ration [per day], $3 of which monthly pay may be in clothing.

The regiment will be known and designated as the Twentieth Regiment U. S. Colored Troops.

The organization of the regiment must conform strictly to the requirements of General Orders, No. 110, current series, War Department, a copy of which is herewith.*

The prescribed number of commissioned officers will be appointed by the President after they shall have passed examination, as provided in General Orders, Nos. 143 and 144, War Department, 1863, copies of which are herewith inclosed and your attention invited thereto.† The officers so appointed will be mustered into service on the presentation to the mustering officer of their appointments signed by the Secretary of War.

The enlisted men may be mustered into service by squads if found more convenient.

The troops raised under the foregoing authority will rendezvous at Riker's Island, New York Harbor, to which point they will be sent as fast as they are mustered into service.

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* See p. 175. † See pp. 215, 216.

An officer will be assigned to duty at that post to take charge of the men on their arrival and make the necessary requisitions for supplies.

I have the honor to be, &c.,

C. W. FOSTER,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington, D. C., December 3, 1863.

Governor TOD,
Columbus, Ohio:

General Barnard, a very distinguished officer of the Engineer Corps, has been detailed to make an examination of the lake coast, and report what temporary works are required to guard the lake shore from hostile invasion by rebels and pirates from Canada. He takes with him a letter of introduction, and he is directed to confer with you.

EDWIN M. STANTON,
Secretary of War.

QUARTERMASTER-GENERAL'S OFFICE,
Washington, December 4, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I have the honor to submit the usual annual report of the operations of the Quartermaster's Department during the fiscal year ending June 30, 1863.

I have the honor to be, very respectfully, your obedient servant,

CHS. THOMAS,
Colonel, Acting Quartermaster-General.

On the 30th of June, 1862, the termination of the preceding fiscal year, the balances in the hands of officers acting in this department (after deducting the disbursements ascertained from accounts which had passed the required administrative examination of this office) amounted, as stated in the last annual report, to		$131,591,956.00
To which are to be added:		
1. Remittances first quarter of the fiscal year	$48,042,199.84	
Remittances second quarter of the fiscal year	66,378,281.08	
Remittances third quarter of the fiscal year	65,764,052.57	
Remittances fourth quarter of the fiscal year	62,315,987.00	
		242,500,520.49
2. Proceeds of sales of property, rents of buildings, &c		1,003,805.18
Total amount to be accounted for		375,096,282.27
From which are to be deducted the disbursements by officers, ascertained from accounts which have passed the required administrative examination of this office, viz:		
Prior to the fiscal year the accounts which had not passed the required administrative examination in time for the last annual report, viz:	$105,776,782.15	
In the first quarter of the fiscal year	8,553,390.66	
In the second quarter of the fiscal year	3,124,369.67	
In the third quarter of the fiscal year	588,074.79	
In the fourth quarter of the fiscal year	420,694.76	
		118,463,312.03
Balance due June 30, 1863, after deducting the amount of disbursements ascertained from accounts which have passed the required administrative examination		256,632,970.24

From which there is to be made a further deduction of the amount of disbursements, as ascertained from accounts for periods prior to and in the fiscal year ending June 30, 1863, which have been received and registered, but of which the required administrative examination has not been made, viz:

Prior to the fiscal year	$14,460,888.14	
In the first quarter	17,856,069.88	
In the second quarter	53,836,583.84	
In the third quarter	54,084,182.58	
In the fourth quarter	54,102,022.58	
	193,289,247.14	
Less amount shown to have been received from sales of property, rent of buildings, &c	4,193,824.75	
		$189,095,422.39
Leaving an outstanding balance due June 30, 1863, of		67,537,547.85

Which is made up as follows, viz:

1. Amount of requisitions drawn in favor of officers, the accounts for disbursements of which have not been received at this office 46,587,380.43

Of this amount, $2,849,192.33 was drawn in the fiscal year ending June 30, 1862.

The balance, $44,188,188.10, was drawn in the fiscal year ending June 30, 1863, and should have been accounted for as follows, viz:

In the first quarter	$1,744,778.10
In the second quarter	9,173,090.00
In the third quarter	15,724,713.00
In the fourth quarter	17,545,607.00
	44,188,188.10

A large portion of this, although remitted during the fiscal year, could not have been received before its termination, and will be accounted for hereafter. The greater portion has doubtless been accounted for direct to the proper accounting officer of the Treasury Department, as required by the act of Congress approved July 17, 1862.

2. Amount in the hands of officers unaccounted for (as ascertained from balances found due the Government, upon examination of the last accounts received, and from receipts for advances made to officers for disbursement) by officers whose accounts have been rendered 6,571,300.49

Of this amount the sum of $2,735,338.05 was due prior to and in the fiscal year ending June 30, 1862.

The balance, $3,835,962.44, was due in the fiscal year ending June 30, 1863, and should have been accounted for as follows, viz:

In the first quarter	$668,625.15
In the second quarter	434,763.58
In the third quarter	807,383.34
In the fourth quarter	1,925,190.44
	3,835,962.44

The greater portion of this has probably been accounted for direct to the proper accounting officer of the Treasury Department, as required by the act of Congress before referred to.

3. The remainder is distributed among the officers disbursing at the various posts and stations and in the field, and is applicable to the payment of debts contracted during the year, by which it will undoubtedly be absorbed. It is 14,428,866.98

Total balance as before 67,537,547.85

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, December 3, 1863.

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: I have the honor to make the following report of this department:

During most of the past year the Adjutant-General of the Army has been employed, under special directions from the Secretary of War, in a responsible sphere of duties at the Southwest. The character of business transacted in the Adjutant-General's Office was described in the last annual report. As was anticipated, it has increased in extent with the continuance of the war, and will still more increase. Two new branches have been added to the office—one by the establishment of a "Bureau for Colored Troops;" and the other, an incident to the draft, for regulating the distribution of drafted men to regiments after they are delivered at the principal rendezvous by the provost-marshals. Thus each new branch of the military service as it arises, although it may be immediately conducted under another department, adds proportionally to the labors of this office. But no pains will be spared fully and promptly to meet all the varied demands which may be made upon it.

Much solicitude is felt in regard to the reduced ranks of the Regular Army. Comparatively few recruits are now enlisted for it, partly because of the greater bounties paid to volunteers by States, counties, and associations, and partly owing to the term of service being five years instead of three. The official reports of battles have invariably spoken in high terms of the good conduct of the regulars wherever they have participated, and their thinned ranks after each encounter bear testimony that they are in no wise behind our gallant volunteers in steadiness and unyielding bravery under fire. It is earnestly recommended that such inducements as may be deemed effective and proper may be offered by Congress for enlistments in the regular regiments, and, among others, that the term be fixed for three years for all enlistments made during the present war. The fifth section, act approved July 29, 1861, establishing the term of three years, expired by limitation January 1, 1863.

Attention is respectfully asked to the ninth section, act approved July 17, 1862, regulating the pay of chaplains, in these words:

> That hereafter the compensation of all chaplains in the regular or volunteer service or army hospitals shall be one hundred dollars per month and two rations per day when on duty.

A strict construction of this act entirely deprives a chaplain of pay when not on duty; but it is supposed the intention of the law really was only to stop the two rations. Such intention would have been expressed so as to leave no doubt on the subject by a transposition of words, as follows: "one hundred dollars per month; and, when on duty, two rations a day." Under the thirty-first section, act approved March 3, 1863, chaplains would then, like all other officers, receive half their pay when absent on leave for other cause than wounds or sickness, and full pay, without rations, when absent from those causes.

A serious evil arising from the absence of officers from duty has in the past year been in great part remedied. Two boards are in session—one at Annapolis, the other at Cincinnati—before one of which all officers who have left their commands in consequence of ill-health

From the above statement it will be seen that but a small number of the accounts for disbursement by officers of this department during the fiscal year ending June 30, 1863, have at this date passed the official examination required by law prior to transmission to the Treasury for final examination and settlement. Four thousand eight hundred and eighty-four accounts remain on hand to be examined, containing disbursements amounting to $193,289,247.14, of which number 35 pertain to periods prior, and 4,849 to the fiscal year ending June 30, 1863; add to which the number yet due and to be received, the number of accounts unexamined for the fiscal year ending June 30, 1863, will not fall far short of 6,000.

Since the last annual report 2,342 accounts, containing disbursements amounting to $118,463,312.03, have been examined and sent to the Treasury for final settlement, of which number 1,358 pertained to the fiscal year ending June 30, 1862, and 984 to the fiscal year ending June 30, 1863.

The number of officers making returns to this office is very large. During the fiscal year ending June 30, 1863, they numbered 4,178, 1,802 being disbursing officers, and the remainder, 2,376, regimental and acting assistant quartermasters, who were accountable for property only. Among the former are comprised the quartermasters and assistant quartermasters of the Regular and Volunteer Army, who are acting as chief disbursing officers to armies, corps, divisions, and brigades in the field, or in charge of the important depots for the purchase and manufacture of supplies. Many of them are charged with the expenditure of large sums of money, and their accounts are necessarily very voluminous.

These officers were also accountable for clothing, camp and garrison equipage received and issued, and are required to render monthly returns for the same to this office.

In addition to this every officer commanding a company in the Regular or Volunteer Army is required to account monthly for all clothing received by him for issue, as well as for all quartermaster's stores for which he may be responsible. These returns are registered and examined prior to transmission to the Treasury for final settlement.

Five thousand eight hundred and thirty-three accounts for disbursement of money and 15,106 for property received and issued have been received in the Quartermaster's Department proper during the fiscal year ending June 30, 1863.

In an army of 1,000,000 men there will be not less than 10,000 company commanders, from whom there should be 120,000 returns received during the year.

The correspondence with the officers who fail to render their returns within the time required by the regulations, as well as with those whose returns are incorrect or imperfect, involves much labor. Officers appointed in the Quartermaster's Department too frequently do not attach sufficient importance to the office. They are in many instances entirely unacquainted with its duties, and, from their previous occupations, unqualified to perform them. None but good accountants and persons who have been engaged in business of a mercantile character, or who have had experience as regimental quartermasters and proved their fitness for the office, should be appointed assistant quartermasters.

The regimental quartermasters, who are necessarily intrusted with a large amount of property, are in some cases not only unacquainted

with their duties, but appear to be appointed without reference to their business qualifications, and are frequently changed—for what reason is unknown to this office. I recommend that they be required to give bonds for the faithful performance of their duties in a sufficient amount to secure the Government from loss. I also recommend that commanders of regiments who appoint them be accountable for all public funds or property which may come into their hands until their appointments are approved by the Secretary of War, and good and sufficient bonds given for the faithful performance of their duties.

The object of this department is to insure an efficient system of supply, and to give facility and effect to the movements and operations of the Army. It is the duty of this department to provide quarters, hospitals, and transportation for the Army and prisoners of war, and transportation for all military stores, provisions, camp and garrison equipage, ordnance and ordnance stores; to direct the survey and superintend the opening and repairing of roads, and the construction and repairs of bridges which may be necessary to the movements of any part of the army, or as communications between the posts on the frontier and between those posts and the interior; to provide good and sufficient store-houses for all military supplies; to provide materials and direct and superintend the constructing and repairing of quarters, barracks, hospitals, store houses, stables, and other necessary buildings for the accommodation of the Army and the security of public property; to purchase all fuel, forage, straw, and stationery required for the Army, and have them transported to the posts where they may be wanted and issued to those entitled to them; to purchase all horses, oxen, mules, and harness, and all wagons, carts, boats, and other vessels, with their equipments, for the transportation of the Army and for garrison purposes; to have the custody of the same and be responsible for their proper use; to purchase all cavalry and artillery horses; to construct, repair, and maintain all telegraph lines necessary for military purposes, and to provide for the maintenance of the steam-ram fleet on the Western rivers. The duty of constructing and maintaining the gun-boat fleet on the Western rivers, for which it has hitherto been the duty of this department to provide, has been transferred to the Navy Department.

It is no less a duty to examine promptly the accounts received, so that officers may be timely advised of the defects existing, and an opportunity afforded them to render such explanations as may be necessary while the subject is fresh in their memory.

The clerical force of this office is still insufficient to examine the accounts with that promptness which their importance demands and the interest of the service requires. The additional force authorized by the act of Congress approved February 7, 1863, was not appointed for a considerable time after the passage of the act, Congress having failed to make any appropriation for the payment thereof. When the appointments were made the current business of the office had accumulated to such a degree as to demand a large proportion of the force authorized, leaving the number to be assigned to the administrative examination of accounts much less than was anticipated. That progress has not, therefore, been made in the examination of accounts which was expected. A great obstacle to more rapid progress has existed in the time occupied in imparting such instruction to new appointees as was necessary to make their services available. Another still greater obstacle was the great amount of labor necessary to be performed in the correction of informalities and defects required to be remedied before the usual administrative examination could be made.

It is believed that these obstacles have in a great measure been overcome; but in order to bring up the large amount of work that has accumulated, and will continue so to do, and to settle the accounts promptly hereafter, as well as to keep up the correspondence incidental to the same, it is believed that an additional force of 160 clerks will be required, of which I respectfully recommend the following classification, viz: Seventy of class 1; sixty of class 2; and thirty of class 3. This will make the classification properly proportionate to the whole number employed in the office and will have a salutary effect in increasing the efficiency of the clerical force. Six additional laborers or messengers are also required.

The additional force authorized by the act approved February 7, 1863, consisted of ninety clerks of the first class, or lowest; no second or third class; and four clerks of the fourth, or highest, class, and thirty lady copyists. The want of intermediate grades has operated very injuriously. Many of the most efficient clerks, to whom higher positions have been tendered elsewhere, have resigned, and the office has been deprived of their services at the time when they were not only most valuable, but really indispensable.

Clerks who have been employed one or two years, and have become proficient in their duties, naturally look for promotion.

I also recommend, in view of the largely increased cost of living in this city, that the sum of $200 be added to the pay now allowed to each class, the increased pay to commence ———, and to continue for so long a time as there may be a necessity therefor.

The additional clerical force asked for, with a sufficient number of officers thoroughly acquainted with the laws and regulations of the Army, will, it is believed, enable this department to dispatch the business relative to the settlement of accounts with that promptness required alike by justice to the interest of the Government and of the officers of this department.

The rooms assigned to this office in the "Winder Building" not affording sufficient accommodation for the clerks and records, it was found necessary to rent additional buildings elsewhere. Several have been obtained, but they are inconvenient, insecure, and generally contracted, and do not afford such accommodations as are deemed requisite for the proper transaction of the public business. The loss of valuable time in communicating from one branch of the office to the other, and the inconvenience occasioned by the separation of branches that should be contiguous to each other is very great. The building being fitted up by your authority will, it is thought, be sufficient to accommodate all the clerks at present employed, as well as the additional force applied for, except probably those employed in the clothing branch, who are now very well provided for in a building by themselves.

By the law of July 17, 1862, to provide for the more prompt settlement of accounts of disbursing officers, all such officers are required to transmit their money accounts monthly direct to the proper accounting officer of the Treasury. This is now done, and, after a cursory examination by the auditor, they are referred to this office for an examination.

The Quartermaster-General is enabled by this method to give them that rigid administrative scrutiny which is required by the Army Regulations; to charge the disbursements against the appropriations to which they pertain; to advise the auditor of such additional facts as are necessary to facilitate the final settlement of the accounts at the

Treasury, and to inform the officer in advance of such defects as require to be remedied before a final settlement can be made. After this examination the accounts are returned to the auditor for final examination and settlement.

The property returns are transmitted direct to this office, and, after a rigid examination, forwarded to the proper auditor of the Treasury for final settlement, as heretofore. I consider the system a good one and advise its continuance.

TRANSPORTATION.

Of the means of transportation, there were on hand at the beginning of the fiscal year, July 1, 1862, 14,842 horses, 16,899 mules, 1,727 oxen, 4,645 army wagons, 551 ambulances, 149 light wagons, 39,366 wheel and lead harness. There were purchased during the year 174,832 horses, 86,254 mules, 60 oxen, 12,730 army wagons, 3,511 ambulances, 77 light wagons, 111,978 wheel and lead harness. There were captured during the year 7,783 horses, 6,915 mules, 223 oxen, 421 army wagons, 104 ambulances, 50 light wagons, 3,013 wheel and lead harness. In all, amounting to 197,457 horses, 110,068 mules, 2,010 oxen, 17,796 army wagons, 4,166 ambulances, 276 light wagons, 154,357 wheel and lead harness.

There were condemned and sold, died, lost by capture, destroyed, worn out, &c., during the year, 57,576 horses, 17,170 mules, 1,486 oxen, 816 army wagons, 232 ambulances, 41 light wagons, and 11,825 wheel and lead harness.

There were on hand at the end of the fiscal year 45,755 horses, 46,226 mules, 1,276 oxen, 10,729 army wagons, 1,805 ambulances, 1,263 light wagons, and 98,817 wheel and lead harness.

Of forage, there were on hand at the beginning of the fiscal year, July 1, 1862, 22,046,951 pounds oats, 37,417,934 pounds corn, 22,294,697 pounds hay and fodder, 17,250 pounds mixed grain. There were purchased during the year 340,906,893 pounds oats, 283,940,284 pounds corn, 578,113,890 pounds hay and fodder, 95,437,787 pounds mixed grain. There were captured, gained in issuing, &c., during the year 10,394,402 pounds oats, 14,453,870 pounds corn, 28,764,537 pounds hay and fodder, 374,769 pounds mixed grain. In all, amounting to 373,348,246 pounds oats, 335,812,088 pounds corn, 629,173,124 pounds hay and fodder, and 95,829,799 pounds mixed grain.

There have been sold, lost by capture, destroyed, expended, &c., during the year 15,550,268 pounds oats, 33,851,736 pounds corn, 25,152,583 pounds hay and fodder, and 28,172 pounds mixed grain.

The amounts remaining on hand at the end of the fiscal year are 44,495,564 pounds oats, 38,907,116 pounds corn, 30,960,467 pounds hay and fodder, and 21,936,338 pounds mixed grain.

Of coal, there were on hand at the beginning of the fiscal year, July 1, 1862, 914½ tons. There were purchased during the fiscal year 130,820$\frac{8}{20}$ tons. There were captured, &c., during the fiscal year 15,477$\frac{5}{20}$ tons; amounting to 147,212$\frac{13}{20}$ tons.

There have been sold, lost, and expended during the year 82,779$\frac{1}{20}$ tons, and remaining on hand at end of the fiscal year 11,821½ tons.

Of public funds, there were on hand at the beginning of the fiscal year, July 1, 1862, $5,201,300.12. There were received from sales of property, &c., during the fiscal year, $1,541,397.50. There have been disbursed during the fiscal year $212,112,064.65, and the balance on hand at the end of the fiscal year was $14,555,004.80.

The following articles were purchased during the time from July 1, 1863, to September 30, 1863: 43,927 horses, 6,899 mules, 4 oxen, 1,262 army wagons, 160 light wagons, 40 ambulances, 4,597 wheel harness, and 6,000 lead harness. There were captured during the same time 5,604 horses, 2,398 mules, 31 oxen, 208 army wagons, 61 ambulances, 1,103 wheel harness, and 1,533 lead harness. In all, amounting to 49,531 horses, 9,297 mules, 35 oxen, 1,470 army wagons, 160 light wagons, 101 ambulances, 5,700 wheel harness, and 7,533 lead harness.

There were sold, lost by capture and death, destroyed, &c., during the same time, 17,989 horses, 5,582 mules, and 101 oxen.

The amount of transportation furnished during the fiscal year is as follows:

Of subsistence stores by land, 784,833 barrels and kegs, 17,654 cattle—146,594½ tons. Of subsistence stores by water, 4,478,143 barrels and kegs, 102,914 cattle—174,217½ tons.

Of ordnance stores by land, 354,659 barrels and kegs, 883 guns, &c.—72,776½½ tons. Of ordnance stores by water, 386,756 barrels and kegs, 1,093 guns, &c.—78,088½½ tons.

Of quartermaster's stores by land, 430,666 barrels and packages, 126,584 animals, 39,354 tons forage, fuel, &c., and 437,354½ tons. Of quartermaster's stores by water, 753,569 barrels and packages, 109,009 animals, 88,438 tons of forage, fuel, &c., and 753,144⅘⅒ tons.

There were 1,264,602 troops transported during the year by land, and 567,397 troops transported during the year by water.

The amounts paid for the above transportation were: By land, $8,030,003.03; by lakes and rivers, $9,476,681.73; and by ocean, $4,798,385.02.

Among the numerous miscellaneous articles purchased during the fiscal year the following are reported: 214,718 cords wood, 6 steam vessels, 64 locomotives, 899 freight cars, 196 medicine wagons, 39,412,889 feet lumber, 56,500 bricks, 1,436,566 pounds nails, 18,211 chains, 922½ tons iron, 2,078,530 horseshoes, 236,288 pounds horseshoe nails, 414,700 pounds leather, 548,044 pounds rope, 17,969 saddle blankets, 4,273 pack-saddles, 235,497 wagon covers.

There have been employed in the Quartermaster's Department during the fiscal year 32 ships, 42 brigs, 46 barges, 554 schooners, 4 sloops, 72 propellers, 88 steam-tugs, 12 ferry-boats, 13 tow-boats, 649 barges, and 1,222 steamers; for the earnings of which there has been paid the amount of $17,788,043.53.

The foregoing are but approximations, based upon the reports received, as there are a number of officers of the department who have not responded to General Orders, No. 13, of the Quartermaster-General, calling for reports for the fiscal year; consequently a full exhibit cannot at this time be made.

Your attention is respectfully invited to the reports of Brig. Gen. D. H. Rucker, chief quartermaster, depot of Washington;* Col. Elias M. Greene, chief quartermaster Department of Washington; Col. D. C. McCallum, military director and superintendent of U. S. railroads;† Col. Anson Stager, assistant quartermaster and general superintendent of U. S. military telegraph;‡ Col. Lewis B. Parsons, assistant quartermaster and chief of transportation, Department of the Missouri;§ as well as to those of other officers charged with extra and important duties, as containing much valuable information.

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*See Series I, Vol. LI, Part I, p. 1092.
†See September 30, p. 851.
‡See Series I, Vol. LII, Part I, p. 482.
§*Ibid.*, p. 459.

In submitting this report, during the absence of the Quartermaster-General of the Army, I have endeavored to confine myself to those subjects immediately connected with the duties of the office and of the officers of the department, leaving to be submitted hereafter such information as may be obtained and be required by the War Department or by Congress.

CHARLES THOMAS,
Colonel, Acting Quartermaster-General.

STATE OF DELAWARE, EXECUTIVE DEPARTMENT,
Dover, December 4, 1863.

In conformity with the above order,* and to carry the same into effect, recruiting stations are hereby established at the following places, to wit: At Wilmington, in New Castle County; at Smyrna, in Kent County; at Milford, in Kent County; at Georgetown, in Sussex County. Enlistments will hereafter be opened and recruiting officers designated to conduct the same.

By order of His Excellency William Cannon, Governor of Delaware:

SAMUEL M. HARRINGTON, JR.,
Secretary of State.

HEADQUARTERS FIRST DIVISION, CORPS D'AFRIQUE,
Port Hudson, December 4, 1863.

Hon. HENRY WILSON,
Senator of the United States, Washington, D. C.:

MY DEAR GENERAL: I have long had it in view to write to you, as the head of the Military Committee of the Senate, on a subject of grave importance, namely, the organization of colored troops.

You are well acquainted with my status in the premises. I have had every opportunity during the last seven months to examine this policy in all its bearings.

The first point to settle is whether it be intended to make these men soldiers or mere laborers; if the latter, the mode pursued is the right one, and I have nothing more to say. If the former, then there are some vital changes to be made. I fear that many high officials outside of Washington have no other intention than that these men shall be used as diggers and drudges. Now, I am well satisfied from my seven months' intercourse with them that with just treatment they can be made soldiers of as high an average as any in the world. Their qualifications in most respects are equal to any and in one superior, to wit, their habit of subordination. All that is necessary is to give them a fair chance, which has not been done. Since I have been in command such has been the amount of fatigue work thrust upon the organization that it has been with the utmost difficulty that any time could be set aside for drill. Months have passed at times without the possibility of any drill at all. The amount of actual labor performed by these men has been enormous. Much of it was done by them in the trenches during the siege of this place, whilst more exposed to the severe fire of the enemy than any other of our troops. They discharged their duties with cheerfulness, alacrity, and marked courage.

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*See General Orders, No. 329, Adjutant-General's Office, October 3, 1863, p. 860, and modifications to same, October 12, 15, and 26, pp. 876, 887, 925.

Then, again, I have been forced to put in their hands arms almost entirely unserviceable, and in other respects their equipments have been of the poorest kind. But there is another injustice done to these men, which they appreciate as well and feel as keenly as anybody. It is a mistake to think that these poor fellows do not understand these matters just as well as we do. They are all the constant subject of conversation among them. The point is this: While other soldiers are fed, clothed, have superior arms, and are paid $13 per month, and the non-commissioned officers receive, respectively, $17 and $20, they are fed, have unserviceable arms, and receive $10 per month, from which is deducted $3 for clothing, and no addition whatever for non-commissioned officers, and have no clothing allowance.

Now, general, I assure you that these poor fellows, with all their warm, enthusiastic patriotism—and it is even greater than that of most other troops—are deeply sensible to this gross injustice. It breaks down their "morale," and to an extent which I, who command and come into constant contact with them, daily deplore. Instead of thus lowering their "morale" it should be our effort, by just treatment in every respect, to rouse their pride and establish among them a high standard. I have succeeded thus far in soothing them by representing that I have an abiding conviction that Congress will early in its next session do them justice. I think that it would be sufficient to pass a bill giving the privates $10 per month, with clothing allowance of other troops, and the non-commissioned officers the same pay as whites. Five hundred citizens of New Orleans, free, most of them well educated, offered to enlist under my command on the above terms. The service suffers greatly because I could not accept the offer, as it would have enabled me to remedy one of the chief difficulties with which we have to contend, namely, the procuring of non-commissioned officers who can read and write. There is one other notion that must be eradicated, *i. e.*, that anybody can command negro troops. So far from this, they require a superior grade of officers, though I well know that those prophets who declare that negroes never will make soldiers are striving to force their prophecies to work out their own fulfillment by appointing ignoramuses and boors to be officers over men who are as keensighted as any to notice the shortcomings of those placed over them. Men have been made field officers in this section who are not fit to be non-commissioned officers—men so ignorant that they cannot write three consecutive sentences without violating orthography and syntax.

My own judgment is, that in the great future before us we shall have to draw largely from this element for soldiers, and the sooner we set about it in earnest the better. This will be best accomplished by establishing the better regiments on the same footing and permanance as the Regular Army, if not actually a part of it. The thorough discipline of that branch of the service is needed in this organization, both for officers and men. I desire to assure you, in conclusion, general, that my faith in this movement grows stronger day by day. The obstacles which have opposed its progress in the Southwest are altogether exceptional, and have no necessary connection with it. The changes above suggested, and a strong hand in the War Department, will sweep them away like cobwebs. Notwithstanding the persistent hostility, open and covert, which strove to defeat my mission here as a pioneer, the progress made in the right direction is

eminently encouraging, and I feel strong to carry it out to a successful issue if the right help shall come from Washington.

I shall be glad if you will submit this letter to the Honorable the Secretary of War.

I am, my dear general, your very faithful friend and obedient servant,

DANIEL ULLMANN,
Brigadier-General, Commanding.

WAR DEPARTMENT,
Washington City, December 5, 1863.

Mr. PRESIDENT: A general summary of the military operations of the past year is furnished by the report of the General-in-Chief, herewith submitted.* A list of the detailed official reports that have been returned to this Department by the generals commanding also accompanies this report. The influence of these operations in suppressing the rebellion and restoring the authority of the General Government cannot be overestimated. The victories of Stone's River and of Gettysburg, the operations before Vicksburg and Port Hudson, the occupation of East Tennessee, the battle of Chickamauga, and the recent splendid successes before Chattanooga, and other engagements of less note, are events that evince skill, courage, and loyal patriotism, and a brilliancy of military achievement by the forces of the United States unsurpassed in any age; while the less fortunate battles of Fredericksburg and Chancellorsville manifested the spirit and fortitude of our troops in a degree worthy of the highest admiration.

By the reduction of Vicksburg and Port Hudson the navigation of the Mississippi River has been opened, and the national commerce is rapidly and securely returning to that great highway of the continent. The rebel territory has been cut in twain; the States west of the Mississippi no longer furnish their ample supplies to the rebels, while the people of those States are showing such signs of returning loyalty that a speedy restoration of civil government may confidently be anticipated.

In this view, the reduction of strongholds, the capture of prisoners by thousands, and the acquisition of immense stores of munitions of war are not more important than the political consequences of these great military achievements. The occupation of East Tennessee by the forces under General Burnside, and the operations resulting in the occupation of Chattanooga, and the defeat of Bragg's army by the forces under General Grant, not only shed luster upon our arms, but by affording protection to a loyal population they cannot fail greatly to weaken the rebel strength and operate strongly in restoring the authority of the Federal Government.

The combined operations against Charleston have not yet accomplished all that was expected from them, but the seizure and occupation of Morris Island by the forces under command of General Gillmore, the reduction of Forts Wagner and Sumter, are exploits in which the skill and gallantry of the officers and the valor of our troops have been exhibited in a degree of which the country is justly proud.

In the State of Texas the flag of the Union has, during the whole war, been upheld by a small force at Franklin, so that the rebels have never succeeded in wholly excluding Federal authority from that State. The large force under General Banks now operating in Texas will afford protection to the loyal population, who have long been

* See p. 1037.

anxiously looking for sufficient military power to enable them to re-establish civil government. That period appears now at hand. By the occupation of that State the chief avenue of the rebels for foreign commerce and foreign aid is cut off.

In the East the position of military affairs has not undergone material change. In June the long-cherished design of the rebel leaders to transfer the seat of war from their own territory to the loyal States was undertaken by their favorite commander and their principal army. But the defeat of General Lee by the forces under command of General Meade at Gettysburg destroyed their expectations and drove back the enemy to his accustomed shelter in the mountains of Virginia. The armies of General Meade and General Lee now occupy, relatively, nearly the same position as at the date of my last annual report. The numerous combats and engagements between detachments of these armies have been attended with perhaps equal loss on both sides, and without any material advantage to either.

Western Virginia is reported by the commander of that department to be now clear of any rebel force, and the people of that newly organized State are enjoying, in comparative peace, the blessing of civil government.

The military operations in the Northwest Department have routed, and, in a great measure, destroyed the hostile Indians, and afford protection to the people in that region from Indian barbarities. In the Department of Missouri the rebel forces have been driven beyond the Arkansas line.

No military operations of any magnitude have taken place in the Departments of Virginia and North Carolina. A threatened siege of Norfolk and Suffolk by the rebel General Longstreet was thwarted by the vigilant energy of General Dix, and a siege of Washington, in North Carolina, by the rebel General Hill proved abortive.

The Federal force is now firmly planted in every rebel State; and there is reason to hope that under its protection the loyal people of those States will soon cast off the yoke of their leaders and seek within the Union that peace and security for life, liberty, and property which, in blind madness, were recklessly thrown away.

The success of our arms during the last year has enabled the Department to make a reduction of over $200,000,000 in the war estimates for the ensuing fiscal year.

In the operations that have been alluded to, prisoners of war to the number of about 13,000 have fallen into the hands of the enemy and are now held by them. From the commencement of the rebellion until the War Department came into my charge there was no cartel or formal exchange of prisoners; but at an early period afterward a just and reasonable cartel was made between Major-General Dix and the rebel General Hill, which, until recently, was faithfully acted upon by both parties. Exchanges under that cartel are now stopped, mainly for the following reasons:

First. At Vicksburg over 30,000 rebel prisoners fell into our hands and over 5,000 more at Port Hudson. These prisoners were paroled and suffered to return to their homes until exchanged pursuant to the terms of the cartel. But the rebel agent, in violation of the cartel, declared the Vicksburg prisoners exchanged; and, without being exchanged, the Port Hudson prisoners he, without just cause, and in open violation of the cartel, declared released from their parole. These prisoners were returned to their ranks, and a portion of them were found fighting at Chattanooga and again captured. For this breach

of faith, unexampled in civilized warfare, the only apology or excuse was that an equal number of prisoners had been captured by the enemy. But, on calling for specifications in regard to these alleged prisoners, it was found that a considerable number represented as prisoners were not soldiers, but were non-combatants—citizens of towns and villages, farmers, travelers, and others in civil life, not captured in battle, but taken at their homes, on their farms, or on the highway, by John Morgan and other rebel raiders, who put them under a sham parole. To balance these men against rebel soldiers taken on the field would be relieving the enemy from the pressure of war and enable him to protract the contest to indefinite duration.

Second. When the Government commenced organizing colored troops the rebel leader, Davis, by solemn and official proclamation, announced that the colored troops and their white officers, if captured, would not be recognized as prisoners of war, but would be given up for punishment by the State authorities.

These proceedings of the rebel authorities were met by the earnest remonstrance and protest of this Government without effect. The offers by our commissioner to exchange man for man and officer for officer, or to receive and provide for our own soldiers, under the solemn guarantee that they should not go into the field until duly exchanged, were rejected. In the meantime well-authenticated statements show that our troops held as prisoners of war were deprived of shelter, clothing, and food, and some have perished from exposure and famine. This savage barbarity could only have been practiced in the hope that this Government would be compelled, by sympathy for the suffering endured by our troops, to yield to the proposition of exchanging all the prisoners of war on both sides, paroling the excess not actually exchanged; the effect of which operation would be to enable the rebels to put into the field a new army 40,000 strong, forcing the paroled prisoners into the ranks without exchange, as was done with those paroled at Vicksburg and Port Hudson, and also to leave in the hands of the rebels the colored soldiers and officers, who are not regarded by them as prisoners of war, and therefore not entitled to the benefit of the proposed exchange.

The facts and correspondence relating to this subject are detailed in the accompanying report of Major-General Hitchcock, commissioner of exchanges.* As the matter now stands, we have over 40,000 prisoners of war, ready at any moment to be exchanged, man for man and officer for officer, to the number held by the rebels. These number about 13,000, who are now supplied with food and raiment by this Government and by our benevolent and charitable associations and individuals. Two prisoners, Captains Sawyer and Flinn, held by the rebels, are sentenced to death, by way of a pretended retaliation for two prisoners tried and shot as spies by command of Major-General Burnside. Two rebel officers have been designated and are held as hostages for them.

The rebel prisoners of war in our possession have heretofore been treated with the utmost humanity and tenderness consistent with security. They have had good quarters, full rations, clothing when needed, and the same hospital treatment received by our own soldiers. Indulgence of friendly visits and supplies was formerly permitted, but they have been cut off since the barbarity practiced against our prisoners became known to the Government. If it should become necessary for the protection of our men, strict retaliation will be resorted

* See Series II, Vol. VI, p. 607.

to. But while the rebel authorities suffer this Government to feed and clothe our troops held as prisoners, we shall be content to continue to their prisoners in our hands the humane treatment they have uniformly enjoyed.

The operation of the act of Congress for enrolling and calling out the national forces is exhibited in the accompanying report of the Provost-Marshal-General.* At the time that law was enacted it was known to be very imperfect, many intelligent persons considering its execution wholly impracticable, while few dared to hope for any important benefit. The law has been enforced in twelve States. It has brought from these States 50,000 soldiers, and has raised a fund of over $10,000,000 for procuring substitutes. With all its imperfections it is demonstrated that the act can be made an efficient means for recruiting our armies and calling out the national forces. The principal imperfections and the required amendments will be submitted to Congress through the appropriate committees. The most important to be considered is what is called the $300 commutation. This feature of the act has been much discussed, and opposing opinions are nearly balanced as to the operation and effect of this provision. While some claim that it is oppressive upon poor men and favors the rich, others contend that it places rich and poor on an equal footing, and enables the poor man to obtain exemption from military duty for a sum within the reach of every one. Without undertaking to reconcile or decide between these conflicting opinions, it is certain that this clause of exemption, as it stands, occasions delay in calling out the military force. The drafted man is exempted, at the end of a long proceeding, by the payment of a sum of money. Supposing that sum to be adequate for procuring a substitute, considerable time unavoidably elapses before a competent substitute can be procured. The question whether this clause shall remain or be stricken out requires the early attention of Congress. The fund of $10,000,000 raised by the act as commutation money is deposited with the U. S. assistant treasurers, and is being applied to procuring substitutes by the payment of bounties and premiums.

Volunteering is going on in some States with much spirit. The prime importance of filling up the old regiments and the superiority of such force over new regiments is a point on which all military experience and opinions agree. The bounty paid by the Government is therefore limited to volunteers who go into old regiments or to veteran regiments that renew their term of service. To veteran volunteers going into old regiments the maximum bounty of the Government is paid. Reports from the armies indicate that a large proportion of the troops whose term expires next year will re-enlist, it being stipulated by the Government that they shall have at least one month's furlough before their present term expires. The indications are that the force required will, in a great measure, be raised by volunteering without draft. It is proper to add that commanding generals bear testimony that the drafted men who have gone into the ranks acquit themselves well and make good soldiers. An immediate appropriation for bounties should be made.

An Invalid Corps has been organized under the direction of the Provost-Marshal-General. In the sanguinary battles and engagements of this war, and by camp diseases, many officers and soldiers have been disabled for active service who are yet able to perform duty in garrison, or as depot and prison guards, military police, and

*See p. 1046.

in the arrest of skulkers and deserters. To give honorable employment to this meritorious class, who have suffered in the service of their country, and to liberate able-bodied soldiers from duty that can well be performed by the invalids, was the purpose in organizing this corps. It now numbers over 20,000 officers and privates, who are fully employed; and their service has increased the strength of the armies in the field, while by their vigilance desertion from the Army has in a great measure been checked. The beneficial results anticipated from this organization have been more than realized. For the details in respect to this organization reference is made to the report of the Provost-Marshal-General, which is also referred to for details in respect to the operation of the act enrolling and calling out the national forces, and the required amendments.

Immediately after the President's emancipation proclamation diligent efforts were commenced, and have continued until the present time, for raising colored troops. The Adjutant-General was sent to the Mississippi Valley to organize the system there. A bureau, to have in charge all matters belonging to such troops, was organized in the War Department. The report of its chief shows what progress has been made.*

Over 50,000 men are now organized and in the ranks, and the number will rapidly increase as our armies advance into the rebel States. The raising of these troops has been retarded, first, by the military operations in progress; and second, by the removal of the slaves into the interior beyond reach of our recruiting agents. This obstacle, it is hoped, will soon be entirely overcome.

Many persons believed, or pretended to believe, and confidently asserted, that freed slaves would not make good soldiers; that they would lack courage, and could not be subjected to military discipline. Facts have shown how groundless were these apprehensions. The slave has proved his manhood, and his capacity as an infantry soldier, at Milliken's Bend, at the assault upon Port Hudson, and the storming of Fort Wagner. The apt qualifications of the colored man for artillery service have long been known and recognized by the naval service, and the subjoined extract from an official report shows what he can do in cavalry service:

> On the 17th instant thirty men of Company A, First Mississippi Cavalry (African), in connection with fifty men of the First Battalion, Fourth Illinois Cavalry, while on a scout up the Yazoo Valley, met, one mile beyond Satartia, 150 picked men of the First and Third Texas Cavalry. The First Mississippi behaved nobly, neither lacking courage nor steadiness, firing with coolness and precision. The engagement lasted half an hour, the Texans being totally routed and demoralized, we capturing 28 stand of arms and 7 prisoners.

The colored troops have been allowed no bounty, and under the construction given by the Department they can only, by existing law, receive the pay of $10 per month, white soldiers being paid $13 per month, with clothing and a daily ration. There seems to be inequality and injustice in this distinction, and an amendment authorizing the same pay and bounty as white troops receive is recommended. Soldiers of the Union, fighting under its banner, and exposing their lives in battle to uphold the Government, colored troops are entitled to enjoy its justness and beneficence.

The fortunes of war have brought within our lines a large number of colored women, children, and some aged and infirm persons. Their care, support, and protection rest a solemn trust upon the

* See p. 1111.

Government. Their necessities have to some extent been supplied by the order of this Department, but a general and permanent system for their protection and support should be speedily adopted by Congress. Even if they are to be regarded as in some degree a burden upon the Government, they are a greater loss to the enemy. Every woman and child, from nine years old to sixty, has to the rebel planter a high market value. Their labor in the cotton-field is a source of profit to him. Is it not better that we should feed them than that they should support the rebel master who is in arms against us?

The reports of the several chiefs of bureaus in this Department exhibit fully their respective operations during the last year.

The Adjutant-General reports that the business of his office has greatly increased during the past year by the creation of the Provost-Marshal-General's Bureau and the Bureau for the Organization of Colored Troops. He recommends:

First. That the term of enlistment in the regular service be fixed at three years instead of five, in accordance with the act of July 29, 1861, which expired by limitation on the 1st of January, 1863.

Second. That the law regulating the payment of chaplains be amended so as to allow half pay and rations during absence on leave occasioned by other cause than wounds or sickness, and to full pay without rations when absent for those causes.

A serious evil arising from the absence of officers from duty has in the past year been in great part remedied. Two boards are in session—one at Annapolis, the other at Cincinnati—before one of which all officers who have left their commands in consequence of ill-health are ordered to appear as soon as they are able to travel. They undergo an examination by the Board and are recommended, according to their condition, for light duty, for further leave of absence, or for medical treatment in a general hospital of the city where the Board is in session. But if found fit for duty the president of the Board orders them forthwith to their regiments. The reports of the boards are a guide to the Adjutant-General in making details for mustering, recruiting, or other light duty, and in recommendations for leave of absence or discharge, where the nature of the disability requires. The reports of the boards, taken in connection with regimental reports of absent officers, and the surgeons' certificates from such officers, form a complete system of accountability for absence from duty.

The specific duty of the Ordnance Department is to supply arms and munitions of war for sea-coast and frontier fortifications, and for the forces in the field.

The expenditures for these purposes during the last fiscal year amount to $42,313,630.21.

The cannon, small-arms, accouterments, and equipments for men and horses, and ammunition obtained during the last fiscal year, by purchase and manufacture, were as follows:

Field, siege, and sea-coast cannon, with carriages, caissons, and other implements		1,577
Muskets and rifles for foot soldiers		1,082,841
Carbines and pistols for mounted troops		282,389
Cannon-balls and shells		1,251,995
Lead and lead bullets	pounds	48,719,862
Cartridges for artillery		1,435,046
Cartridges for small-arms		259,022,216
Percussion-caps		347,276,400
Friction-primers		3,925,369

Gunpowder	pounds	5,764,769
Accouterments for men	sets	919,676
Equipments for cavalry horses	do	94,639
Artillery harness, each set for two horses	do	3,281

An immense amount of material has been prepared at the different arsenals, and work in metals, wood, and leather, in large quantity, is advanced toward completion, for the manufacture and repairs of all the various machines and implements of war in use in the service.

The quantities of the principal articles of ordnance materials in the control of the Department at the beginning of the war, the quantities of those articles that have since been procured, and the quantities of those articles on hand on June 30, 1863, are shown in the following table, viz:

Names of articles.	On hand at beginning of war.	Procured since war began.	Issued since war began.	On hand for issue June 30, 1863.
Siege and sea-coast artillery	1,052	1,064	2,088	928
Field artillery	231	2,734	2,481	484
Firearms for infantry	437,433	1,950,144	1,551,576	836,001
Firearms for cavalry	31,268	338,128	327,170	42,226
Sabers	16,933	337,555	271,817	82,671
Cannon-balls and shells	363,591	2,562,744	1,745,586	1,180,749
Lead and lead bullets, pounds	1,301,766	71,776,774	50,054,515	23,024,025
Cartridges for artillery	28,248	2,738,746	2,274,490	492,504
Cartridges for small-arms	8,292,300	522,204,816	378,584,104	151,913,012
Percussion-caps	19,808,000	769,475,000	715,036,470	74,246,530
Friction-primers	83,425	7,004,709	6,082,505	1,005,629
Gunpowder, pounds	1,110,584	13,424,363	13,071,073	1,463,874
Saltpeter, do	2,923,348	5,231,731	None.	8,155,079
Accouterments for infantry	10,930	1,831,300	1,680,220	162,010
Accouterments for cavalry	4,320	194,466	196,296	2,490
Equipments for cavalry horses	574	216,658	211,670	5,562
Artillery harness (double)	596	18,666	17,425	1,767

The resources of this country for the production of arms and munitions of war have only commenced their development, yet their extent may be inferred from the enormous quantities of supplies shown by the foregoing tabular abstract to have been furnished during the last two years. At the beginning of the war we were compelled to rely upon foreign countries for the supply of nearly all our arms and munitions. Now all these things are manufactured at home, and we are independent of foreign countries not only for the manufactures, but also for the materials of which they are composed.

The excellence of arms and munitions of American manufacture which have been supplied by the Ordnance Department to the Army has been so obvious that our soldiers are no longer willing to use those which have been imported from other countries.

The efforts made during the war to extend and improve the manufacture of arms and munitions have resulted in discoveries of great importance to the country in peace as well as in war. Among the arts thus improved is the manufacture of wrought-iron, now rivaling the finest qualities of the iron of Sweden, Norway, and England, so highly prized in the arts.

This country until the present year has relied upon those countries for material to make gun-barrels, bridle bits, car-wheel tires, and other articles requiring iron of finest quality. The iron of our own production is now superior to that obtained abroad for all these purposes.

The law of 1808 made provision for the annual expenditure of $200,000 for arming the militia of the States. That sum is insufficient for the wants of the increased population of the country. Two millions of dollars should be annually appropriated for that purpose until all the States are supplied, in proportion to their population, with the same number of arms that have been distributed in some of the States to meet the exigencies of the war.

From the report of the Chief of Engineers it appears that the grants made by Congress for fortifications at its last session amounted to $5,250,000 for permanent works and $700,000 for temporary works. These liberal provisions allowed of very material progress being made upon the important class of fortifications now under construction, and of essential modifications being effected in old works and existing batteries, to obtain largely increased efficiency, by preparing them to receive ordnance of greatly increased calibers, and to store greater bulks of ammunition, with additional security afforded therefor.

These important objects have been very generally realized. The difficulties existing last year in the procurement and transportation of materials, and in obtaining the requisite amount of skilled and ordinary labor, have increased; but these difficulties have been surmounted or avoided to such a degree that the general result is very favorable, and our sea-board and border fortifications are now in condition to afford a formidable defense, decidedly stronger than last year.

The report of the annual Board of Visitors of the Military Academy is herewith submitted.* There being no representation from the rebel States in the Academy since the war commenced, there existed accommodation for a considerable number of cadets beyond those furnished from the loyal States. There seemed to be no good reason why the advantages of the Academy should not be enjoyed to the fullest capacity, and accordingly the vacancies were this session filled up by appointments from loyal States, the generals commanding armies being invited to furnish the names of deserving young men from their respective commands; and in this way the number of cadets allowed by law have been admitted to the advantages of military education in the Academy at West Point. The usual statement, showing the condition in life of the cadets for a number of years past, and a list of the present officers and cadets of the Academy, accompany the report of the Chief Engineer.

The operations connected with the survey of the northern and northwestern lakes have been actively continued, and during the past season have consisted in a survey of Portage Entry, on Lake Superior, and in resuming the survey of Green Bay and its entrance from Lake Michigan; also of the periodical examination of the channels of the Saint Clair Flats, and of Lake George of Saint Mary's River. Observations for the determination of geographical positions, of the fluctuations of the elevation of the surfaces of the lakes, and of the meteorological phenomena are embraced in the operations of the survey. The number of lake charts distributed to navigators to the 1st of October, 1863, exceeds 24,000, of which over 4,000 were distributed the past year.

By the direction of this Department an experienced and skillful officer has been detailed to examine and report what temporary works are required to guard the lake shores from rebel and piratical raids.

* Omitted.

The department charged with the disbursement of the funds for surveys for military defenses has, in addition to its current duties, prepared for military purposes (to which their distribution is necessarily restricted) an aggregate of 8,841 maps, of which 6,927 were engraved and lithographed and 1,914 were photographed.

The clothing and equipment of troops, their shelter and transportation; the purchase of wagons, horses, and mules; the supply of forage; the construction, repair, and working of military roads, and the supply of boats for transportation by water, constitute important duties of the Quartermaster-General's Department. The detail of these operations, so far as is proper for public information, is contained in the Acting Quartermaster-General's report, and need not here be recapitulated.* The adequate supply of mules and horses, and their subsistence, are among the most arduous duties of the service. To systematize this branch of service, with adequate supervision and proper economy, so far as practicable, a cavalry bureau was established a few months ago, and is now in operation at Giesborough. It is believed that by this means much improvement may be made, with proper diligence and fidelity on the part of the officers intrusted with this important duty.

The Quartermaster-General has for some months been making a careful personal inspection of his branch of service in the different military departments, but his report has not yet been received.

The report of the Commissary-General of Subsistence shows that the subsistence for the Army, with the exception of fresh beef and flour, has in great part been procured by advertising for bids, and selecting the lowest for suitable articles, in the cities of Boston, New York, Philadelphia, Baltimore, Cincinnati, Louisville, and Saint Louis. Flour has, when possible, been procured in the same manner at points nearer to our armies. Fresh beef has been obtained in general by contract, sometimes on the hoof and at other times from the block. On the coast of the Carolinas and the Gulf, and for a large portion of the year at New Orleans, beef has been forwarded on the hoof from New York. It is believed that at every point the troops have been supplied with abundance of good wholesome food, and that if in movements of our armies a temporary want has been felt, it has not been due to any cause over which the officers of this department had control. In addition to the troops, subsistence has been furnished to all prisoners, whether political or war, to large numbers of contrabands, and to suffering Union families found by our armies in the rebel States. Great improvement has taken place in the rendering of accounts by volunteer officers, although cases of neglect still exist. The few regular officers of this branch of the service have had heavy labors and responsibilities imposed upon them, and have exhibited intelligence, integrity, and zeal.

The Paymaster-General reports that, except where payments have been postponed by commanding generals on account of pending operations, the various armies in the field are substantially paid to the 31st of October, 1863, the latest period allowable by law and regulation, and that funds have been provided and placed in the proper hands for full payment of all troops in service up to the date mentioned.

By the report of the Acting Surgeon-General the Department is informed that the latest reports received give 182 general hospitals, with a capacity of 84,472 beds. The number of patients remaining

*See p. 1118.

in general hospitals June 30, 1863, was 9.1 per cent., and in the field 4.4 per cent. of the entire mean strength of the Army, of whom 11 per cent. were sick and 2.5 per cent. wounded. The corps of medical inspectors, by the system of inspections established, has added materially to the efficiency of the medical and hospital service, and a marked improvement in all matters of sanitary precaution and police is exhibited. Companies of the Second Battalion, Invalid Corps, have in many instances been advantageously substituted for contract nurses, attendants, and cooks in the general hospitals. Appropriations are asked for the payment of washing in those hospitals and on transports, where a sufficient number of matrons cannot be employed, for the collection and preservation of pathological specimens in the Army Medical Museum, and for the preparation and examination of drugs in connection with the purveying depots. The health of the troops has been good and the mortality less than the preceding year.

The Signal Corps was organized under an act of the last Congress. The average number of officers on duty is reported as 198. The full capacity of this branch of service has not yet been developed, and different opinions as to its value seem to be entertained by commanding officers. In combined land and naval operations it has been considered useful, and commanding officers of Western armies have commended it with favor. The continuance of the corps is recommended by this Department, with proper restrictions upon the number of officers, and limiting them to their proper scope of duties.

The military telegraph, under the general direction of Colonel Stager and Major Eckert, has been of inestimable value to the service, and no corps has surpassed—few have equaled—the telegraph operators in diligence and devotion to their duties.

From the superintendent's report it appears that the military telegraph lines required by the Government have been constructed over an extensive and scattered territory, embracing the District of Columbia, parts of the States of Pennsylvania, Ohio, Indiana, Illinois, Maryland, Delaware, Virginia, North Carolina, South Carolina, Louisiana, Mississippi, Alabama, Arkansas, Tennessee, Kentucky, Missouri, Kansas, and the Indian Territory.

Under the immediate direction of Major Eckert, assistant superintendent of the Department of the Potomac, 300 miles have been constructed during the year. Under the direction of Captain Smith, assistant superintendent of the Department of the Missouri, 548 miles have been constructed during the year, one mile of which was submarine. Under the direction of Captain Bruch, assistant superintendent of the Departments of the Ohio, Cumberland, and Mississippi, 510 miles have been constructed during the year. Under the direction of Captain David, assistant superintendent of the Department of Western Virginia, 97 miles have been constructed during the same period. Under the direction of Captain Bulkley, assistant superintendent of the Department of the Gulf, 300 miles have been built, one mile of which was submarine. On the 1st day of July, 1862, there were 3,571 miles of land and submarine lines in working order. During the fiscal year 1,755 miles of land and submarine line were constructed, making the total number of miles of land and submarine military telegraph lines in operation during the year 5,326, being length of line sufficient to girdle more than one-fifth of the circumference of the globe. By a close estimate it appears that at least 1,200,000 telegrams have been sent and received over the military

lines in operation during the fiscal year ending June 30, 1863, being at the rate of about 3,300 per diem. These messages have varied in length from 10 to 1,000 words and upward, and generally were of an urgent or most important character.

Pursuant to acts of Congress passed February 16, 1863, and July 12, 1862, three commissioners were appointed to examine and report upon all claims arising under the act of March 25, 1862, entitled "An act to secure to the officers and men actually employed in the Western Department, or Department of the Missouri, their pay, bounty, and pension." The sum of $100,000, or so much as should be necessary, was appropriated by an act passed May 14, 1862, to pay the claims awarded. The commissioners have reported in favor of claims amounting to the sum of $800,612.13. No power of apportionment being vested in the Department, further legislation or a larger appropriation will be required to carry these acts into effect.

Many claims are presented to the Department for the use of land occupied by the Government as forts, camping-grounds, and other public works, for forage and other property used or injured by the troops. Some of these claims are just, others doubtful, and many exorbitant or fraudulent. The Department has no mode of investigating them and no appropriation to pay them. It is submitted that provision should be made by act of Congress for their speedy adjustment and payment.

Diligent effort has been made for the enforcement of discipline, the detection of frauds, and their prevention and punishment by summary dismissal or by the conviction and sentence of guilty parties by court-martial and military commission. In this respect much has been accomplished by the Judge-Advocate-General and his assistants. From his report it appears that since the commencement of the rebellion, vast as has been the increase of the duties and labors of his office, there has been no legislative provision enlarging the instrumentalities for their performance. The machinery of the office remains as when the Army consisted but of some 13,000 men. This condition of things is the more striking when it is remembered that in every other branch of the military service legislation has kept pace with the wants created by the emergencies of the war. It is essential that the force of this office be increased to meet the emergencies of the service. The following is a summary of the business dispatched in the Judge-Advocate-General's Office from the 1st of September, 1862, to 1st of November, 1863, a period of fourteen months:

Number of records of trials by general courts-martial and military commissions reviewed, 17,357. Number of reports made as to the regularities of the proceedings, on applications for restoration to the service, and for the pardon of offenders, and remission or commutation of sentences, 2,318. Miscellaneous reports on other questions referred to the office, 172.

While many of these reports are brief, many are long and elaborate, involving an examination of complicated masses of fact and of difficult legal questions. As recorded, they occupy about 2,000 quarto pages.

It gives me pleasure to bear witness to the general diligence, ability, and fidelity manifested by the chiefs of the several bureaus of this Department. Whatever success may have attended its administration is, in a great measure, due to them and their subordinates.

In conclusion, I may be permitted to express the hope that the next annual report from this Department may announce the complete over-

throw of the rebellion, and the restoration of peace and the establishment of the Union on a sure foundation in all the bounds of the United States.

Respectfully submitted.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, December 5, 1863.

Ordered:

That Hon. William F. Allen, of New York; General John Love, of Indiana, and Chauncey Smith, esq., of Massachussetts, be, and they are hereby, appointed a special commission to revise the enrollment and quotas of the city and State of New York, and report whether there be any, and what, errors or irregularities therein, and what corrections, if any, should be made. The commission to organize in the city of New York as speedily as possible. They may appoint a clerk at reasonable compensation. The Provost-Marshal-General will assign them suitable quarters for transacting their business and furnish them with a messenger and all necessary facilities.

He will cause the enrollment lists to be submitted to them, and furnish them with such information as they may require. The commissioners will report from time to time as the investigation proceeds so as not to delay the draft. They will receive by way of compensation $8 per diem each while actually employed and their necessary traveling expenses, to be paid out of the fund in charge of the Provost-Marshal-General, who will immediately communicate this order to the commissioners and report their acceptance or refusal of the appointment.

The commissioners will apply to the Department for further instructions if required.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 46.

HDQRS. EIGHTEENTH ARMY CORPS,
DEPT. OF VIRGINIA AND NORTH CAROLINA,
Fort Monroe, Va., December 5, 1863.

The recruitment of colored troops has become the settled purpose of the Government. It is therefore the duty of every officer and soldier to aid in carrying out that purpose, by every proper means, irrespective of personal predilection. To do this effectually the former condition of the blacks, their change of relation, the new rights acquired by them, the new obligations imposed upon them, the duty of the Government to them, the great stake they have in the war, and the claims their ignorance and the helplessness of their women and children make upon each of us who hold a higher grade in social and political life, must all be carefully considered.

It will also be taken into account that the colored soldiers have none of the machinery of "State aid" for the support of their families while fighting our battles, so liberally provided for the white soldiers, nor the generous bounties given by the State and National Governments in the loyal States, although this last is far more than compensated to the black man by the great boon awarded to him, the result of the war—freedom for himself and his race forever!

To deal with these several aspects of this subject so that as few of the negroes as possible shall become chargeable either upon the bounty of Government or the charities of the benevolent, and at the same time to do justice to those who shall enlist, to encourage enlistment, and to cause all capable of working to employ themselves for their support and that of their families, either in arms or other service, and that the rights of negroes and the Government may both be protected, it is ordered:

I. In this department, after the 1st day of December, instant, and until otherwise ordered, every able-bodied colored man who shall enlist and be mustered into the service of the United States for three years or during the war shall be paid as bounty, to supply his immediate wants, the sum of $10. And it shall be the duty of each mustering officer to return to these headquarters duplicate rolls of recruits so enlisted and mustered into the service on the 10th, 20th, and last days of each month, so that the bounty may be promptly paid and accounted for.

II. To the family of each colored soldier so enlisted and mustered, so long as he shall remain in the service and behave well, shall be furnished suitable subsistence, under the direction of the superintendents of negro affairs or their assistants; and each soldier shall be furnished with a certificate of subsistence for his family as soon as he is mustered; and any soldier deserting, or whose pay and allowances are forfeited by court-martial, shall be reported by his captain to the superintendent of the district where his family lives, and the subsistence may be stopped, provided that such subsistence shall be continued for at least six months to the family of any colored soldier who shall die in the service by disease, wounds, or battle.

III. Every enlisted colored man shall have the same uniform, clothing, arms, equipments, camp equipage, rations, medical and hospital treatment as are furnished to the U. S. soldiers of a like arm of the service, unless, upon request, some modification thereof shall be granted from these headquarters.

IV. The pay of the colored soldiers shall be $10 per month, $3 of which may be retained for clothing. But the non-commissioned officers, whether colored or white, shall have the same addition to their pay as other non-commissioned officers. It is, however, hoped and believed by the commanding general that Congress, as an act of justice, will increase the pay of the colored troops to a uniform rate with other troops of the United States. He can see no reason why a colored soldier should be asked to fight upon less pay than any other. The colored man fills an equal space in ranks while he lives, and an equal grave when he falls.

V. It appears by returns from the several recruiting officers that enlistments are discouraged, and the Government is competing against itself, because of the payment of sums larger than the pay of the colored soldiers to the colored employés in the several staff departments, and that, too, while the charities of the Government and individuals are supporting the families of the laborer. It is further ordered, That no officer or other person on behalf of the Government, or to be paid by the Government, on land in this department, shall employ or hire any colored man for a greater rate of wages than $10 per month, or the pay of a colored soldier and rations, or $15 per month without rations, except that mechanics and skilled laborers may be employed at other rates, regard being had, however, to the pay of the soldier in fixing such rates.

VI. The best use during the war for an able-bodied colored man, as well for himself as the country, is to be a soldier: It is therefore further ordered, That no colored man, between the ages of eighteen and forty-five, who can pass the surgeon's examination for a soldier, shall be employed on land by any person in behalf of the Government (mechanics and skilled laborers alone excepted). And it shall be the duty of each officer or other person employing colored labor in this department, to be paid by or on behalf of the Government, to cause each laborer to be examined by the surgeons detailed to examine colored recruits, who shall furnish the laborer with a certificate of disability or ability, as the case may be, and after the 1st day of January next no employment rolls of colored laborers will be certified or passed at these headquarters wherein this order has not been complied with, and are not vouched for by such certificate of disability of the employés. And whenever hereafter a colored employé of the Government shall not be paid within sixty days after his wages shall become due and payable, the officer or other person having the funds to make such payment shall be dismissed the service, subject to the approval of the President.

VII. Promptness of payment of labor, and the facilities furnished by the Government and the benevolent, will enable colored laborers in the service of the Government to be supported from the proceeds of their labor; therefore no subsistence will be furnished to the families of those employed by the Government at labor, but the superintendent of negro affairs may issue subsistence to those so employed and charge the amount against their wages, and furnish the officer in charge of payment of such laborers with the amounts so issued, on the first day of each month, or be himself chargeable with the amount so issued.

VIII. Political freedom rightly defined is liberty to work, and to be protected in the full enjoyment of the fruits of labor; and no one with ability to work should enjoy the fruits of another's labor, therefore no subsistence will be permitted to any negro or his family, with whom he lives, who is able to work and does not work. It is, therefore, the duty of the superintendent of negro affairs to furnish employment to all the negroes able to labor, and see that their families are supplied with the necessaries of life. Any negro who refuses to work when able, and neglects his family, will be arrested and reported to these headquarters to be sent to labor on the fortifications, where he will be made to work. No negro will be required to labor on the Sabbath unless upon the most urgent necessity.

IX. The commanding general is informed that officers and soldiers in the department have, by impressment and force, compelled the labor of negroes, sometimes for private use, and often without any imperative necessity.

Negroes have rights so long as they fulfill their duties: Therefore it is ordered, That no officer or soldier shall impress or force to labor for any private purpose whatever any negro; and negro labor shall not be impressed or forced for any public purpose unless under orders from these headquarters, or because of imperative military necessity, and where the labor of white citizens would be compelled if present. And any orders of any officer compelling any labor by negroes or white citizens shall be forthwith reported to these headquarters, and the reasons which called for the necessity for such order be fully set forth.

In case of a necessity compelling negro or white labor for the purpose of building fortifications, bridges, roads, or aiding transportation or other military purpose, it shall be the duty of the superintendent of negroes in that district to cause employment rolls to be made of those so compelled to labor, and to present said rolls as soon as the necessity ceases to the assistant quartermaster of the district that the laborers may be paid; and the superintendent shall see that those that labor shall have proper subsistence, and may draw from the commissary of subsistence rations therefor. Any officer offending willfully against the provisions of this order will be dismissed the service, subject to the approval of the President.

And no negro shall be impressed into military service of the United States except under orders from these headquarters—by a draft which shall equally apply to the white and colored citizen.

X. The theory upon which negroes are received into the Union lines and employed, either as laborers or soldiers, is that every negro able to work who leaves the rebel lines diminishes by so much the producing power of the rebellion to supply itself with food and labor necessary to be done outside of military operations to sustain its armies, and the United States thereby gains either a soldier or a producer. Women and children are received because it would be manifestly iniquitous and unjust to take the husband and father and leave the wife and child to ill-treatment and starvation. Women and children are also received when unaccompanied by the husband and father, because the negro has the domestic affections in as strong a degree as the white man, and however far South his master may drive him he will sooner or later return to his family.

Therefore it is ordered, That every officer and soldier of this command shall aid by every means in his power the coming of all colored people within the Union lines; that all officers commanding expeditions and raids shall bring in with them all the negroes possible, affording them transportation, aid, protection, and encouragement. Any officer bringing or admitting negroes within his lines shall forthwith report the same to the superintendent of negro affairs within his district so they may be cared for and protected, enlisted, or set to work. Any officer, soldier, or citizen who shall dissuade, hinder, prevent, or endeavor to hinder or prevent any negro from coming within the Union lines; or shall dissuade, hinder, prevent, or endeavor to prevent or hinder any negro from enlisting; or who shall insult, abuse, ridicule, or interfere with, for the purpose of casting ridicule or contempt upon colored troops or individual soldiers, because they are colored, shall be deemed to be and held liable under the several acts of Congress applicable to this subject, and be punished with military severity for obstructing recruiting.

XI. In consideration of the ignorance and helplessness of the negroes, arising from the condition in which they have been heretofore held, it becomes necessary that the Government should exercise more and peculiar care and protection over them than over its white citizens, accustomed to self-control and self-support, so that their sustenance may be assured, their rights respected, their helplessness protected, and their wrongs redressed; and that there be one system of management of negro affairs: It is ordered, That Lieut. Col. J. Burnham Kinsman, aide-de-camp, be detailed at these headquarters as general superintendent of negro affairs in this department, to whom all reports and communications relating thereto, required to be sent to these headquarters, shall be addressed. He shall have a general

superintendence over all the colored people of this department; and all other superintendents of negro affairs shall report to Lieutenant-Colonel Kinsman, who is acting for the commanding general in this behalf.

All the territory of Virginia south of the James River shall be under the superintendence of Capt. Orlando Brown, assistant quartermaster. All the territory north of James River shall be under the superintendence of Capt. Charles B. Wilder, assistant quartermaster. The District of North Carolina shall be under the superintendence of the Rev. Horace James, chaplain.

Each superintendent shall have the power to select and appoint such assistant superintendents for such sub-districts in his district as may be necessary, to be approved by the commanding general, such appointments to be confirmed by the commanding general.

The pay of such assistant, if a civilian, shall in no case exceed the pay of a first-class clerk in the Quartermaster's Department.

It shall be the duty of each superintendent, under the direction of the general superintendent, to take care of the colored inhabitants of his district, not slaves, under the actual control of a loyal master in his district (and in all questions arising as to freedom or slavery of any colored person, the presumption shall be that the man, woman, or child is free or has claimed protection of the military authorities of the United States, which entitles the claimant to freedom); to cause an accurate census to be taken of colored inhabitants in his district and their employments; to cause all to be provided with necessary shelter, clothing, food, and medicines; to see that all able to work shall have some employment, and that such employment shall be industriously pursued; to see that in all contracts for labor or other things made by the negroes with white persons the negro is not defrauded, and to annul all contracts made by the negro which are unconscionable and injurious, and that such contracts as are fulfilled by the negro shall be paid; to take charge of all lands and all property allotted, turned over, or given to the use of the negro, whether by Government or by charity; to keep accurate accounts of the same and of all expenditure; to audit all accounts of the negroes against Government, and to have all proper allowances made as well to the negro as the Government; and to have all claims put in train for payment by the Government; to keep accurate accounts of all expenses of the negro to the Government, and of his earnings for the Government; to see that the negroes who have wrought on land furnished by the Government on shares shall have their just portion, and to aid in disposing of the same for the best good of the negro and Government; to make quarterly returns and exhibits of all accounts of matters committed to them; and to hold all moneys arising from the surplus earnings of the negro over the expenditures by the United States, for the use and benefit of the negroes, under orders from these headquarters.

XII. It appearing to the commanding general that some of the labor done by the negroes in this department remains unpaid—some for the space of more than two years, although contracts were duly made by the proper officers of the Government for the payment thereof—whereby the faith of the negro in the justice of the Government is impaired and the trust in its protection is weakened: It is ordered, That each superintendent shall be a commissioner, to audit all such accounts, procure evidence of their validity, make out accurate payrolls and return the same, so that they may be presented for adjustment to the proper Departments: *Provided, however*, That no sale of

any such claim against the Government shall be valid, and no payment shall be made of any such claim except in hand to the person actually earning it—if he is within this department—or to his legal representative, if the person earning it be deceased.

XIII. Religious, benevolent, and humane persons have come into this department for the charitable purpose of giving to the negroes secular and religious instructions; and this, too, without any adequate pay or material reward. It is therefore ordered, That every officer and soldier shall treat all such persons with the utmost respect; shall aid them by all proper means in their laudable avocations; and that transportation be furnished them whenever it may be necessary in pursuit of their business.

XIV. As it is necessary to preserve uniformity of system, and that information shall be had as to the needs and the supplies for the negro; and as certain authorizations are had to raise troops in the department, a practice has grown up of corresponding directly with the War and other Departments of the Government, to the manifest injury of the service: It is therefore ordered, That all correspondence in relation to the raising or recruitment of colored troops, and relating to the care and control of the negroes in this department, with any official organized body or society, or any Department or Bureau of the Government, must be transmitted through these headquarters, as by regulation all other military correspondence is required to be done.

XV. Courts-martial and courts of inquiry in relation to all offenses committed by or against any of the colored troops, or any person in the service of the United States connected with the care, or serving with the colored troops, shall have a majority of its members composed of officers in command of colored troops, when such can be detailed without manifest injury to the service.

All offenses by citizens against the negroes, or by the negroes against citizens—except of a high and aggravated nature—shall be heard and tried before the provost court.

XVI. This order shall be published and furnished to each regiment and detached post within the department—a copy for every commanding officer thereof—and every commander of a company, or detachment less than a company, shall cause the same to be read once, at least, to his company or detachment; and this order shall be printed for the information of the citizens, once at least, in each newspaper published in the department.

By command of Major-General Butler:

R. S. DAVIS,
Major and Assistant Adjutant-General.

MESSAGE.

DECEMBER 8, 1863.

Fellow-citizens of the Senate and House of Representatives:

Another year of health, and of sufficiently abundant harvests, has passed. For these, and especially for the improved condition of our national affairs, our renewed and profoundest gratitude to God is due.

We remain in peace and friendship with foreign powers.

The efforts of disloyal citizens of the United States to involve us in foreign wars, to aid an inexcusable insurrection, have been unavailing. Her Britannic Majesty's Government, as was justly expected,

have exercised their authority to prevent the departure of new hostile expeditions from British ports. The Emperor of France has, by a like proceeding, promptly vindicated the neutrality which he proclaimed at the beginning of the contest. Questions of great intricacy and importance have arisen out of the blockade, and other belligerent operations, between the Government and several of the maritime powers, but they have been discussed, and, as far as was possible, accommodated in a spirit of frankness, justice, and mutual good will. It is especially gratifying that our prize courts, by the impartiality of their adjudications, have commanded the respect and confidence of maritime powers.

The supplemental treaty between the United States and Great Britain for the suppression of the African slave trade, made on the 17th day of February last, has been duly ratified and carried into execution. It is believed that, so far as American ports and American citizens are concerned, that inhuman and odious traffic has been brought to an end.

I shall submit for the consideration of the Senate a convention for the adjustment of possessory claims in Washington Territory, arising out of the treaty of the 15th June, 1846, between the United States and Great Britain, and which have been the source of some disquiet among the citizens of that now rapidly improving part of the country.

A novel and important question, involving the extent of the maritime jurisdiction of Spain in the waters which surround the island of Cuba, has been debated without reaching an agreement, and it is proposed in an amicable spirit to refer it to the arbitrament of a friendly power. A convention for that purpose will be submitted to the Senate.

I have thought it proper, subject to the approval of the Senate, to concur with the interested commercial powers in an arrangement for the liquidation of the Scheldt dues upon the principles which have been heretofore adopted in regard to the imposts upon navigation in the waters of Denmark.

The long-pending controversy between this Government and that of Chile touching the seizure at Sitana, in Peru, by Chilean officers of a large amount in treasure belonging to citizens of the United States, has been brought to a close by the award of His Majesty the King of the Belgians, to whose arbitration the question was referred by the parties. The subject was thoroughly and patiently examined by that justly respected magistrate, and, although the sum awarded to the claimants may not have been as large as they expected, there is no reason to distrust the wisdom of His Majesty's decision. That decision was promptly complied with by Chile when intelligence in regard to it reached that country.

The joint commission, under the act of the last session, for carrying into effect the convention with Peru on the subject of claims, has been organized at Lima and is engaged in the business intrusted to it.

Difficulties concerning interoceanic transit through Nicaragua are in course of amicable adjustment.

In conformity with principles set forth in my last annual message, I have received a representative from the United States of Colombia, and have accredited a minister to that Republic.

Incidents occurring in the progress of our civil war have forced upon my attention the uncertain state of international questions touching the rights of foreigners in this country and of United States citizens abroad. In regard to some governments, these rights are at

least partially defined by treaties. In no instance, however, is it expressly stipulated that, in the event of civil war, a foreigner residing in this country, within the lines of the insurgents, is to be exempted from the rule which classes him as a belligerent, in whose behalf the Government of his country cannot expect any privileges or immunities distinct from that character. I regret to say, however, that such claims have been put forward, and, in some instances, in behalf of foreigners who have lived in the United States the greater part of their lives.

There is reason to believe that many persons born in foreign countries, who have declared their intention to become citizens or who have been fully naturalized, have evaded the military duty required of them by denying the fact, and thereby throwing upon the Government the burden of proof. It has been found difficult or impracticable to obtain this proof, from the want of guides to the proper sources of information. These might be supplied by requiring clerks of courts where declarations of intention may be made or naturalizations effected to send, periodically, lists of the names of the persons naturalized, or declaring their intention to become citizens, to the Secretary of the Interior, in whose Department those names might be arranged and printed for general information.

There is also reason to believe that foreigners frequently become citizens of the United States for the sole purpose of evading duties imposed by the laws of their native countries, to which, on becoming naturalized here, they at once repair, and, though never returning to the United States, they still claim the interposition of this Government as citizens. Many altercations and great prejudices have heretofore arisen out of this abuse. It is therefore submitted to your serious consideration. It might be advisable to fix a limit, beyond which no citizen of the United States residing abroad may claim the interposition of his Government.

The right of suffrage has often been assumed and exercised by aliens under pretenses of naturalization, which they have disavowed when drafted into the military service. I submit the expediency of such an amendment of the law as will make the fact of voting an estoppel against any plea of exemption from military service or other civil obligation on the ground of alienage.

In common with other Western powers, our relations with Japan have been brought into serious jeopardy through the perverse opposition of the hereditary aristocracy of the Empire to the enlightened and liberal policy of the Tycoon, designed to bring the country into the society of nations. It is hoped, although not with entire confidence, that these difficulties may be peacefully overcome. I ask your attention to the claim of the minister residing there for the damages he sustained in the destruction, by fire, of the residence of the legation at Yeddo.

Satisfactory arrangements have been made with the Emperor of Russia, which, it is believed, will result in effecting a continuous line of telegraph through that Empire from our Pacific coast.

I recommend to your favorable consideration the subject of an international telegraph across the Atlantic Ocean, and also of a telegraph between this capital and the national forts along the Atlantic sea-board and the Gulf of Mexico. Such communications, established with any reasonable outlay, would be economical, as well as effective, aids to the diplomatic, military, and naval service.

The consular system of the United States, under the enactments of

the last Congress, begins to be self-sustaining, and there is reason to hope that it may become entirely so, with the increase of trade which will ensue whenever peace is restored. Our ministers abroad have been faithful in defending American rights. In protecting commercial interests our consuls have necessarily had to encounter increased labors and responsibilities growing out of the war. These they have, for the most part, met and discharged with zeal and efficiency. This acknowledgment justly includes those consuls who, residing in Morocco, Egypt, Turkey, Japan, China, and other Oriental countries, are charged with complex functions and extraordinary powers.

The condition of the several organized Territories is generally satisfactory, although Indian disturbances in New Mexico have not been entirely suppressed. The mineral resources of Colorado, Nevada, Idaho, New Mexico, and Arizona are proving far richer than has been heretofore understood. I lay before you a communication on this subject from the Governor of New Mexico. I again submit to your consideration the expediency of establishing a system for the encouragement of immigration. Although this source of national wealth and strength is again flowing with greater freedom than for several years before the insurrection occurred, there is still a great deficiency of laborers in every field of industry, especially in agriculture and in our mines, as well of iron and coal as of the precious metals. While the demand for labor is thus increased here, tens of thousands of persons, destitute of remunerative occupation, are thronging our foreign consulates, and offering to emigrate to the United States if essential, but very cheap, assistance can be afforded them. It is easy to see that under the sharp discipline of civil war the nation is beginning a new life. This noble effort demands the aid, and ought to receive the attention and support, of the Government.

Injuries, unforeseen by the Government and unintended, may in some cases have been inflicted on the subjects or citizens of foreign countries, both at sea and on land, by persons in the service of the United States. As this Government expects redress from other powers when similar injuries are inflicted by persons in their service upon citizens of the United States, we must be prepared to do justice to foreigners. If the existing judicial tribunals are inadequate to this purpose, a special court may be authorized, with power to hear and decide such claims of the character referred to as may have arisen under treaties and the public law. Conventions for adjusting the claims by joint commission have been proposed to some governments, but no definitive answer to the proposition has yet been received from any.

In the course of the session I shall probably have occasion to request you to provide indemnification to claimants where decrees of restitution have been rendered and damages awarded by admiralty courts; and in other cases, where this Government may be acknowledged to be liable in principle, and where the amount of that liability has been ascertained by an informal arbitration.

The proper officers of the Treasury have deemed themselves required by the law of the United States upon the subject to demand a tax upon the incomes of foreign consuls in this country. While such a demand may not, in strictness, be in derogation of public law, or perhaps of any existing treaty between the United States and a foreign country, the expediency of so far modifying the act as to exempt from tax the income of such consuls as are not citizens of the United States, derived from the emoluments of their office, or from property not

situated in the United States, is submitted to your serious consideration. I make this suggestion upon the ground that a comity which ought to be reciprocated exempts our consuls, in all other countries, from taxation to the extent thus indicated. The United States, I think, ought not to be exceptionally illiberal to international trade and commerce.

The operations of the Treasury during the last year have been successfully conducted. The enactment by Congress of a national banking law has proved a valuable support of the public credit, and the general legislation in relation to loans has fully answered the expectations of its favorers. Some amendments may be required to perfect existing laws, but no change in their principles or general scope is believed to be needed. Since these measures have been in operation all demands on the Treasury, including the pay of the Army and Navy, have been promptly met and fully satisfied. No considerable body of troops, it is believed, were ever more amply provided and more liberally and punctually paid; and it may be added that by no people were the burdens incident to a great war ever more cheerfully borne.

The receipts during the year from all sources, including loans and the balance in the Treasury at its commencement, were $901,125,674.86, and the aggregate disbursements $895,796,630.65, leaving a balance on the 1st of July, 1863, of $5,329,044.21. Of the receipts there were derived from customs, $69,059,642.40; from internal revenue, $37,640,787.95; from direct tax, $1,485,103.61; from lands, $167,617.17; from miscellaneous sources, $3,046,615.35, and from loans, $776,682,361.57, making the aggregate $901,125,674.86. Of the disbursements there were for the civil service, $23,253,922.08; for pensions and Indians, $4,216,520.79; for interest on public debt, $24,729,846.51; for the War Department, $599,298,600.83; for the Navy Department, $63,211,105.27; for payment of funded and temporary debt, $181,086,635.07, making the aggregate $895,796,630.65, and leaving the balance of $5,329,044.21. But the payments of funded and temporary debt having been made from moneys borrowed during the year, must be regarded as merely nominal payments, and the moneys borrowed to make them as merely nominal receipts, and their amount, $181,086,635.07, should therefore be deducted both from receipts and disbursements. This being done, there remains as actual receipts $720,039,039.79, and the actual disbursements $714,709,995.58, leaving the balance as already stated.

The actual receipts and disbursements for the first quarter and the estimated receipts and disbursements for the remaining three quarters of the current fiscal year 1864, will be shown in detail by the report of the Secretary of the Treasury, to which I invite your attention. It is sufficient to say here that it is not believed that actual results will exhibit a state of the finances less favorable to the country than the estimates of that officer heretofore submitted, while it is confidently expected that at the close of the year both disbursements and debt will be found very considerably less than has been anticipated.

The report of the Secretary of War is a document of great interest. It consists of—

1. The military operations of the year, detailed in the report of the General-in-Chief.

2. The organization of colored persons into the war service.

3. The exchange of prisoners, fully set forth in the letter of General Hitchcock.*

* See Series II, Vol. VI, p. 607.

4. The operations under the act for enrolling and calling out the national forces, detailed in the report of the Provost-Marshal-General.

5. The organization of the Invalid Corps; and

6. The operation of the several departments of the Quartermaster-General, Commissary-General, Paymaster-General, Chief of Engineers, Chief of Ordnance, and Surgeon-General.

It has appeared impossible to make a valuable summary of this report except such as would be too extended for this place, and hence I content myself by asking your careful attention to the report itself.

The duties devolving on the naval branch of the service during the year, and throughout the whole of this unhappy contest, have been discharged with fidelity and eminent success. The extensive blockade has been constantly increasing in efficiency as the Navy has expanded; yet on so long a line it has so far been impossible to entirely suppress illicit trade. From returns received at the Navy Department it appears that more than 1,000 vessels have been captured since the blockade was instituted, and that the value of prizes already sent in for adjudication amounts to over $13,000,000.

The naval force of the United States consists at this time of 588 vessels, completed and in the course of completion, and of these seventy-five are iron-clad or armored steamers. The events of the war give an increased interest and importance to the Navy which will probably extend beyond the war itself.

The armored vessels in our Navy completed and in service, or which are under contract and approaching completion, are believed to exceed in number those of any other power. But while these may be relied upon for harbor defense and coast service, others of greater strength and capacity will be necessary for cruising purposes, and to maintain our rightful position on the ocean.

The change that has taken place in naval vessels and naval warfare since the introduction of steam as a motive power for ships-of-war demands either a corresponding change in some of our existing navy-yards, or the establishment of new ones for the construction and necessary repair of modern naval vessels. No inconsiderable embarrassment, delay, and public injury have been experienced from the want of such governmental establishments. The necessity of such a navy-yard, so furnished, at some suitable place upon the Atlantic sea-board, has on repeated occasions been brought to the attention of Congress by the Navy Department, and is again presented in the report of the Secretary, which accompanies this communication. I think it my duty to invite your special attention to this subject, and also to that of establishing a yard and depot for naval purposes upon one of the Western rivers. A naval force has been created on those interior waters, and under many disadvantages, within little more than two years, exceeding in numbers the whole naval force of the country at the commencement of the present Administration. Satisfactory and important as have been the performances of the heroic men of the Navy at this interesting period, they are scarcely more wonderful than the success of our mechanics and artisans in the production of war vessels, which has created a new form of naval power.

Our country has advantages superior to any other nation in our resources of iron and timber, with inexhaustible quantities of fuel in the immediate vicinity of both, all available and in close proximity to navigable waters. Without the advantage of public works, the resources of the nation have been developed and its power displayed

in the construction of a Navy of such magnitude, which has at the very period of its creation, rendered signal service to the Union.

The increase of the number of seamen in the public service from 7,500 men in the spring of 1861 to about 34,000 at the present time has been accomplished without special legislation or extraordinary bounties to promote that increase. It has been found, however, that the operation of the draft, with the high bounties paid for army recruits, is beginning to affect injuriously the naval service, and will, if not corrected, be likely to impair its efficiency by detaching seamen from their proper vocation and inducing them to enter the Army. I therefore respectfully suggest that Congress might aid both the army and naval services by a definite provision on this subject, which would at the same time be equitable to the communities more especially interested.

I commend to your consideration the suggestions of the Secretary of the Navy in regard to the policy of fostering and training seamen, and also the education of officers and engineers for the naval service. The Naval Academy is rendering signal service in preparing midshipmen for the highly responsible duties which in after life they will be required to perform. In order that the country should not be deprived of the proper quota of educated officers, for which legal provision has been made at the Naval School, the vacancies caused by the neglect or omission to make nominations from the States in insurrection have been filled by the Secretary of the Navy. The school is now more full and complete than at any former period, and in every respect entitled to the favorable consideration of Congress.

During the past fiscal year the financial condition of the Post-Office Department has been one of increasing prosperity, and I am gratified in being able to state that the actual postal revenue has nearly equaled the entire expenditures, the latter amounting to $11,314,206.84, and the former to $11,163,789.59, leaving a deficiency of but $150,417.25. In 1860, the year immediately preceding the rebellion, the deficiency amounted to $5,656,705.49, the postal receipts of that year being $2,645,722.19 less than those of 1863. The decrease since 1860 in the annual amount of transportation has been only about 25 per cent., but the annual expenditure on account of the same has been reduced 35 per cent. It is manifest, therefore, that the Post-Office Department may become self-sustaining in a few years, even with the restoration of the whole service. The international conference of postal delegates from the principal countries of Europe and America, which was called at the suggestion of the Postmaster-General, met at Paris on the 11th of May last and concluded its deliberations on the 8th of June. The principles established by the conference, as best adapted to facilitate postal intercourse between nations and as the basis of future postal conventions, inaugurate a general system of uniform international charges at reduced rates of postage, and cannot fail to produce beneficial results.

I refer you to the report of the Secretary of the Interior, which is herewith laid before you, for useful and varied information in relation to the public lands, Indian affairs, patents, pensions, and other matters of public concern pertaining to his Department.

The quantity of land disposed of during the last and the first quarter of the present fiscal years was 3,841,549 acres, of which 161,911 acres were sold for cash, 1,456,514 acres were taken up under the homestead law, and the residue disposed of under laws granting lands for military bounties, for railroad and other purposes. It also appears that the sale of the public lands is largely on the increase.

It has long been a cherished opinion of some of our wisest statesmen that the people of the United States had a higher and more enduring interest in the early settlement and substantial cultivation of the public lands than in the amount of direct revenue to be derived from the sale of them. This opinion has had a controlling influence in shaping legislation upon the subject of our national domain. I may cite, as evidence of this, the liberal measures adopted in reference to actual settlers, the grant to the States of the overflowed lands within their limits in order to their being reclaimed and rendered fit for cultivation; the grants to railway companies of alternate sections of land upon the contemplated lines of their roads, which, when completed, will so largely multiply the facilities for reaching our distant possessions. This policy has received its most signal and beneficent illustration in the recent enactment granting homesteads to actual settlers. Since the 1st day of January last the beforementioned quantity of 1,456,514 acres of land have been taken up under its provisions. This fact and the amount of sales furnish gratifying evidence of increasing settlement upon the public lands, notwithstanding the great struggle in which the energies of the nation have been engaged, and which has required so large a withdrawal of our citizens from their accustomed pursuits. I cordially concur in the recommendation of the Secretary of the Interior suggesting a modification of the act in favor of those engaged in the military and naval service of the United States. I doubt not that Congress will cheerfully adopt such measures as will, without essentially changing the general features of the system, secure, to the greatest practicable extent, its benefits to those who have left their homes in defense of the country in this arduous crisis.

I invite your attention to the views of the Secretary as to the propriety of raising, by appropriate legislation, a revenue from the mineral lands of the United States.

The measures provided at your last session for the removal of certain Indian tribes have been carried into effect. Sundry treaties have been negotiated, which will, in due time, be submitted for the constitutional action of the Senate. They contain stipulations for extinguishing the possessory rights of the Indians to large and valuable tracts of land. It is hoped that the effect of these treaties will result in the establishment of permanent friendly relations with such of these tribes as have been brought into frequent and bloody collisions with our outlying settlements and emigrants. Sound policy and our imperative duty to these wards of the Government demand our anxious and constant attention to their material well-being, to their progress in the arts of civilization, and, above all, to that moral training which, under the blessing of Divine Providence, will confer upon them the elevated and sanctifying influences, the hopes and consolations of the Christian faith.

I suggested in my last annual message the propriety of remodeling our Indian system. Subsequent events have satisfied me of its necessity. The details set forth in the report of the Secretary evince the urgent need for immediate legislative action.

I commend the benevolent institutions established or patronized by the Government in this District to your generous and fostering care.

The attention of Congress during the last session was engaged to some extent with a proposition for enlarging the water communication between the Mississippi River and the northeastern sea-board, which proposition, however, failed for the time. Since then, upon a call of

the greatest respectability, a convention has been held at Chicago upon the same subject, a summary of whose views is contained in a memorial addressed to the President and Congress, and which I now have the honor to lay before you. That this interest is one which, ere long, will force its own way, I do not entertain a doubt, while it is submitted entirely to your wisdom as to what can be done now. Augmented interest is given to this subject by the actual commencement of work upon the Pacific Railroad, under auspices so favorable to rapid progress and completion. The enlarged navigation becomes a palpable need to the great road.

I transmit the second annual report of the Commissioner of the Department of Agriculture, asking your attention to the developments in that vital interest of the Nation.

When Congress assembled a year ago the war had already lasted nearly twenty months, and there had been many conflicts on both land and sea, with varying results. The rebellion had been pressed back into reduced limits; yet the tone of public feeling and opinion, at home and abroad, was not satisfactory. With other signs, the popular elections, then just past, indicated uneasiness among ourselves, while amid much that was cold and menacing the kindest words coming from Europe were uttered in accents of pity, that we were too blind to surrender a hopeless cause. Our commerce was suffering greatly by a few armed vessels built upon and furnished from foreign shores, and we were threatened with such additions from the same quarter as would sweep our trade from the sea and raise our blockade. We had failed to elicit from European Governments anything hopeful upon this subject. The preliminary emancipation proclamation, issued in September, was running its assigned period to the beginning of the new year. A month later the final proclamation came, including the announcement that colored men of suitable condition would be received into the war service. The policy of emancipation and of employing black soldiers gave to the future a new aspect, about which hope, and fear, and doubt contended in uncertain conflict. According to our political system, as a matter of civil administration the General Government had no lawful power to effect emancipation in any State, and for a long time it had been hoped that the rebellion could be suppressed without resorting to it as a military measure. It was all the while deemed possible that the necessity for it might come, and that if it should the crisis of the contest would then be presented. It came, and, as was anticipated, it was followed by dark and doubtful days. Eleven months having now passed, we are permitted to take another review. The rebel borders are pressed still farther back, and by the complete opening of the Mississippi the country dominated by the rebellion is divided into distinct parts, with no practical communication between them. Tennessee and Arkansas have been substantially cleared of insurgent control, and influential citizens in each, owners of slaves and advocates of slavery at the beginning of the rebellion, now declare openly for emancipation in their respective States. Of those States not included in the emancipation proclamation, Maryland and Missouri, neither of which three years ago would tolerate any restraint upon the extension of slavery into new territories, only dispute now as to the best mode of removing it within their own limits.

Of those who were slaves at the beginning of the rebellion full 100,000 are now in the U. S. military service, about one-half of which number actually bear arms in the ranks, thus giving

the double advantage of taking so much labor from the insurgent cause, and supplying the places which otherwise must be filled with so many white men. So far as tested, it is difficult to say they are not as good soldiers as any. No servile insurrection, or tendency to violence or cruelty, has marked the measures of emancipation and arming the blacks. These measures have been much discussed in foreign countries, and contemporary with such discussion the tone of public sentiment there is much improved. At home the same measures have been fully discussed, supported, criticised, and denounced, and the annual elections following are highly encouraging to those whose official duty it is to bear the country through this great trial. Thus we have the new reckoning. The crisis which threatened to divide the friends of the Union is past.

Looking now to the present and future, and with reference to a resumption of the national authority within the States wherein that authority has been suspended, I have thought fit to issue a proclamation, a copy of which is herewith transmitted.* On examination of this proclamation it will appear, as is believed, that nothing is attempted beyond what is amply justified by the Constitution. True, the form of an oath is given, but no man is coerced to take it. The man is only promised a pardon in case he voluntarily takes the oath. The Constitution authorizes the Executive to grant or withhold the pardon at his own absolute discretion; and this includes the power to grant on terms, as is fully established by judicial and other authorities.

It is also proffered that if in any of the States named a State government shall be, in the mode prescribed, set up, such government shall be recognized and guaranteed by the United States, and that under it the State shall, on the constitutional condition, be protected against invasion and domestic violence. The constitutional obligation of the United States to guarantee to every State in the Union a republican form of government, and to protect the State, in the cases stated, is explicit and full. But why tender the benefits of this provision only to a State government set up in this particular way? This section of the Constitution contemplates a case wherein the element within a State, favorable to republican government, in the Union, may be too feeble for an opposite and hostile element external to or even within the State; and such are precisely the cases with which we are now dealing.

An attempt to guarantee and protect a revived State government, constructed in whole or in preponderating part from the very element against whose hostility and violence it is to be protected, is simply absurd. There must be a test by which to separate the opposing elements, so as to build only from the sound; and that test is a sufficiently liberal one, which accepts as sound whoever will make a sworn recantation of his former unsoundness.

But if it be proper to require, as a test of admission to the political body, an oath of allegiance to the Constitution of the United States and to the Union under it, why also to the laws and proclamations in regard to slavery? Those laws and proclamations were enacted and put forth for the purpose of aiding in the suppression of the rebellion. To give them their fullest effect there had to be a pledge for their maintenance. In my judgment, they have aided and will further aid the cause for which they were intended. To now abandon them would

* See Series II, Vol. VI, p. 680.

be not only to relinquish a lever of power, but would also be a cruel and an astounding breach of faith. I may add at this point, that while I remain in my present position I shall not attempt to retract or modify the emancipation proclamation, nor shall I return to slavery any person who is free by the terms of that proclamation or by any of the acts of Congress. For these and other reasons it is thought best that support of these measures shall be included in the oath, and it is believed the Executive may lawfully claim it in return for pardon and restoration of forfeited rights, which he has clear constitutional power to withhold altogether, or grant upon the terms which he shall deem wisest for the public interest. It should be observed, also, that this part of the oath is subject to the modifying and abrogating power of legislation and supreme judicial decision.

The proposed acquiescence of the national Executive in any reasonable temporary State arrangement for the freed people is made with the view of possibly modifying the confusion and destitution which must, at best, attend all classes by a total revolution of labor throughout whole States. It is hoped that the already deeply afflicted people in those States may be somewhat more ready to give up the cause of their affliction, if, to this extent, this vital matter be left to themselves, while no power of the national Executive to prevent an abuse is abridged by the proposition.

The suggestion in the proclamation as to maintaining the political framework of the States on what is called reconstruction, is made in the hope that it may do good without danger of harm. It will save labor and avoid great confusion.

But why any proclamation now upon this subject? This question is beset with the conflicting views that the step might be delayed too long or be taken too soon. In some States the elements for resumption seem ready for action, but remain inactive apparently for want of a rallying point—a plan of action. Why shall A adopt the plan of B, rather than B that of A? And if A and B should agree, how can they know but that the General Government here will reject their plan? By the proclamation a plan is presented which may be accepted by them as a rallying point, and which they are assured in advance will not be rejected here. This may bring them to act sooner than they otherwise would.

The objections to a premature presentation of a plan by the national Executive consists in the danger of committals on points which could be more safely left to further developments. Care has been taken to so shape the document as to avoid embarrassments from this source. Saying that, on certain terms certain classes will be pardoned, with rights restored, it is not said that other classes or other terms will never be included. Saying that reconstruction will be accepted if presented in a specified way, it is not said it will never be accepted in any other way.

The movements, by State action, for emancipation in several of the States not included in the emancipation proclamation, are matters of profound gratulation. And while I do not repeat in detail what I have heretofore so earnestly urged upon this subject, my general views and feelings remain unchanged; and I trust that Congress will omit no fair opportunity of aiding these important steps to a great consummation.

In the midst of other cares, however important, we must not lose sight of the fact that the war power is still our main reliance. To that power alone can we look yet for a time to give confidence to the people in the contested regions that the insurgent power will not

again overrun them. Until that confidence shall be established little can be done anywhere for what is called reconstruction. Hence our chiefest care must still be directed to the Army and Navy, who have thus far borne their harder part so nobly and well. And it may be esteemed fortunate that in giving the greatest efficiency to these indispensable arms, we do also honorably recognize the gallant men, from commander to sentinel, who compose them, and to whom, more than to others, the world must stand indebted for the home of freedom disenthralled, regenerated, enlarged, and perpetuated.*

ABRAHAM LINCOLN.

GENERAL ORDERS, No. 390. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, December 8, 1863.*

Officers of the Medical Department in charge of hospitals for blacks are authorized to employ as cooks or nurses either males or females, who will be paid by the medical purveyor or store-keeper at the rate of $10 per month.

In cases where white females are employed they will receive 40 cents per day. All such persons will also receive one ration per day.†

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., December 8, 1863.

SIR: The following instructions to commissaries of musters, through the commanding officer of the department to which they are attached, are published for the information of all concerned, and will be strictly complied with:

1. Commissaries of musters will furnish to the Second Auditor of the Treasury copies of the muster-in rolls of each regiment of the corps to which they are attached, taking particular care to note thereon the amount paid each man mustered on account of bounty or other advances. These copies will be certified to by the commissary or assistant commissary of musters of the command to which such regiments belong, and forwarded through the commissary of musters of the corps.

2. Commissaries of musters will cause to be entered upon the descriptive roll of veteran volunteers the residence of each man—giving the town, county, and State. The same data must also appear on the copy of the roll sent to the adjutant-general of the State in which the men reside.

3. Commissaries of musters will render to this office, by mail every Saturday, a weekly report of the number of volunteers remustered as veterans under General Orders, No. 359, current series, from this office.

The first report must embrace all remustered to its date. Corps commissaries of musters will report for their respective corps. The reports must give the States separately, and the number for each town and county. Reports to be addressed to the Adjutant-General

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*For the President's amnesty proclamation of December 8, accompanying this message, see Series II, Vol. VI, p. 680.

†For revocation of this order and the substitute therefor, see General Orders, No. 23, January 16, 1864, Vol. IV, this series, p. 82.

for Volunteer Bureau. The information must be promptly and accurately furnished, as upon it credits of men to the respective States will be made. It is necessary to know the number for the respective towns and counties, so that the credits may be properly distributed through the State.

The residences of men remustered will, of course, determine the town and county to which they belong.

I have the honor to be, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

CHATTANOOGA, *December 8, 1863.*

Col. J. B. FRY:

Will the veteran volunteers be counted in the quota to be furnished by the different States under the recent call of the President?

The soldiers express a desire to re-enlist, but by so doing they do not wish to relieve from the operations of the draft those men who stay at home to make money whilst they continue to expose their lives to the vicissitudes of war.

GEO. H. THOMAS,
Major-General.

HEADQUARTERS SIXTEENTH ARMY CORPS,
Memphis, Tenn., December 8, 1863.

His Excellency A. LINCOLN,
President of the United States:

Knowing your anxiety to be well informed on the condition and prospects of the State of Arkansas, I have taken the responsibility of sending General Nathan Kimball to Washington, that he may give you personally details in reference to the State which cannot well be written. I assure you that you may have full confidence in his opportunities of knowledge and in his frankness of statement.

I am, and have been, thoroughly convinced that Arkansas can, by vote of its people, be brought into the Union without slavery by simply encouraging and sustaining the "Unconditional Union" men of that State, and by so directing military operations as to give them the opportunity of action.

Thus the entering wedge to the breaking up of the Confederacy can be sent home, to be rapidly followed by similar blows in other States.

I consider the matter of such prime importance, although not within my command, that I have directed General Kimball to see you personally, if your state of health will permit.

Very truly, your obedient servant,

S. A. HURLBUT,
Major-General.

HDQRS. ACTG. ASST. PROVOST-MARSHAL-GENERAL,
FOR KANSAS, NEBRASKA, COLORADO, AND DAKOTA,
Leavenworth City, December 8, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: I have the honor to report that in compliance with instructions contained in your letter of November 10, 1863, I have conferred with

His Excellency Thomas Carney, Governor of Kansas, on the subject of the recruiting service in this State.

I presented to the Governor a copy of your letter and assured him that it was the desire of this Bureau to co-operate fully with the State authorities in filling the quota of the State, and invited any suggestions he might deem it proper to make.

I found by my conversation with Governor Carney that he has very little knowledge of the details of the recruiting service. The adjutant-general's office of the State is at Topeka, the State capital, sixty miles distant, without railroad or telegraphic communication. Governor Carney being at the head of a large mercantile house in this city, and deeply engaged in speculation and Government contracts, does not visit Topeka more often than once a month and frequently at longer intervals.

The adjutant-general's office is a jumble of confusion, and is more noted for what it does not than what it does contain. For instance, the adjutant-general is as yet unable to furnish me with any data of the number of men enlisted under the auspices of the State authorities, and hence I am unable to comply with instructions from your office requiring me to furnish the number of recruits enlisted in this State from week to week, and to obtain other necessary information. This general looseness pervades the conduct of affairs in the executive office, and is a great impediment to the correct transaction of official business.

Under date of November 27, 1863, Governor Carney writes you, in reply to your letter of November 10, a copy of his reply being furnished for my information. This reply contains the substance of his requests and suggestions at my personal interview with him.

He asks "that no attempt for the present be made by the provost-marshals of this State at recruiting for old or new organizations." In support of this request he assigns the following reasons:

First. That he has "just completed the Fifteenth Regiment."

Second. That "the Sixteenth is now over half full, and in a few days will be filled."

Third. That he has "raised companies for the Second, Sixth, Ninth, and Fourteenth, putting them at the minimum strength."

The request of Governor Carney that no attempt for the present be made by provost-marshals of this State at recruiting for old or new organizations should insure, in my judgment, the granting of his request, providing the statements upon which his reasons are based are correct. This, however, is not the case, as will be seen by the facts I deem it my duty to plainly state in the same order I have indicated in the narration of the aforesaid reasons of the Governor.

First. It is true that the organization of the Fifteenth Kansas Cavalry has been completed, and is at least up to the minimum strength.

This regiment was raised by Col. C. R. Jennison on authority received from Governor Carney. Many of the men were drawn from the State of Missouri, and enlisted by recruiting officers stationed at points along the river and eastern border of the State of Kansas. The whole was controlled by Colonel Jennison, who received the commissions for officers from the Governor signed in blank, and filled them with the names of such persons as he saw fit. The regiment was raised very rapidly, and practically outside of the efforts or supervision of the Governor of Kansas.

Second. Governor Carney stated to me, and also states in his letter of November 27, that the Sixteenth Regiment is now over half full. After my interview with the Governor, I called on Lieut. J. R.

Kemble, mustering and disbursing officer at Fort Leavenworth, and was informed by him that he had mustered but one company into the Sixteenth Regiment. He was very emphatic in his declaration that the Governor's statement had no foundation in fact. Lieutenant Kemble is of the opinion that the regiment cannot be filled, unless the men are drawn from the State of Missouri, in violation of existing orders on the subject of recruiting, by the authorities of that State. Collisions between persons recruiting for the Sixteenth by authority of Governor Carney have already occurred with the military authorities in Missouri, and a general ill-feeling on the subject exists.

Lieutenant Kemble also stated to me that he had recently seen General Schofield at Saint Louis, and that the general informed him that the time for raising the regiment, which expires about the 10th of the present month, would not be extended by him. If any companies had been raised in the meantime he would assign them to other regiments. I have this on the authority of Lieutenant Kemble, and have deemed it proper to present it in this report, as bearing on the general status of the recruiting service in the State of Kansas.

Lieutenant Kemble's statement of the number of men mustered into the Sixteenth Regiment, and about which there can be no question, banishes the statements of the Governor, and shakes my confidence in the patriotism of his purposes and the general correctness of his representations.

For the second reason assigned, therefore, it having no foundation in fact, recruiting in this State under the plan recently adopted by this Bureau for old organizations ought not to be suspended. On this point I will say that many of the Kansas regiments in the field are mere skeletons; that the filling up of these regiments would greatly increase the efficiency of the service, and that no more new organizations are needed at present.

Third. The statement of the Governor that he has raised companies for the Fourteenth Kansas Volunteers is not correct, as I am informed by officers connected with recruiting said regiment. The Fourteenth was raised by Maj. Gen. James G. Blunt, by a special authority received from you. Governor Carney has had nothing to do in raising it. His recruiting for the Second, Sixth, and Ninth Regiments is without my knowledge. This report is made thus minute in order to correct the official deception and misstatements in Governor Carney's letter of November 27.

I am of the opinion that the recruiting service in this State should hereafter be conducted as far as practicable in accordance with the plan recently adopted by this Bureau, existing abuses corrected, and with a view of filling up old organizations.

I will add that I have been particularly careful at all times to co-operate fully with Governor Carney in matters relating to the efficiency of the service, as well as in all official business.

I am, colonel, very respectfully, your obedient servant,

SIDNEY CLARKE,

Captain and Acting Assistant Provost-Marshal-General.

SAINT LOUIS, *December 8, 1863.*

Hon. E. M. STANTON:

I beg leave to refer to my dispatch of the 2d instant, and to request that the matter of raising colored troops in this department be placed

exclusively under my control. General Blunt assumes to act independently of me and in disregard of my orders. I respectfully protest against his being clothed with any military authority in this department.

J. M. SCHOFIELD,
Major-General.

GENERAL ORDERS, No. 391. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, December 9, 1863.*

Commanders of departments are authorized to grant furloughs to enlisted men in the general hospitals within the limits of their command, upon the approval of the medical director or chief medical officer; the number allowed to be absent at one time to be limited to 5 per cent., and the period not to exceed thirty days, and to be graduated according to the distance of the applicant from his home; the good conduct of the applicant to be made the rule of the medical officers in recommending the furloughs.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 392. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, December 9, 1863.*

1. The Quartermaster-General of the Army will report to the Paymaster-General the name of every officer who, in his department, has received, or shall hereafter receive, public money or military supplies, and fail to take up and account for the same, and render proper returns therefor; or who has hired and employed, or shall hereafter hire or employ, persons and articles in the public service, and fail to make out and transmit reports therefor, as required by the Army Regulations. And the Paymaster-General, upon the receipt of such notification, will give directions to the officers of his corps to make no payments to the delinquent officers until such delinquents shall have rendered the prescribed reports and returns, of which the Paymaster-General shall be promptly advised by the Quartermaster-General.

2. When officers give or issue certified accounts for purchases made or services rendered in the Quartermaster's Department, they will immediately send an abstract of them to the principal officer of the department in which they are serving and to the Quartermaster-General at Washington. Any officer failing to forward these abstracts will have his pay stopped until he sends them.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

Exhibit of additional credits, State of Maryland, from June 30, date of last statement, up to November 30, 1863.

	Three-years.
For old regiments	853
For new regiments	951
2,276 six-months' men equal	379
Colored	3,060
Total	4,743

The above number is taken from the reports of mustering officers in compliance with circular dated September 17, 1863, with the exception of colored troops, which information has been obtained from Major Foster, assistant adjutant-general.

Congressional districts:

First	13
Second	47
Third	72
Fourth	58
Fifth	10

The above is taken from reports of mustering officers for the months of October and November. The reports received previous to October 1 do not specify the number mustered in by Congressional districts.

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
December 9, 1863.

EXECUTIVE MANSION,
Washington, December 9, 1863.

His Excellency A. G. CURTIN,
Governor of Pennsylvania:

MY DEAR SIR: I have to urge my illness and the preparation of the message in excuse for not having sooner transmitted you the inclosed from the Secretary of War and Provost-Marshal-General in response to yours in relation to recruiting in Pennsylvania.* Though not quite as you desire, I hope the grounds taken will be reasonably satisfactory to you. Allow me to exchange congratulations with you on the organization of the House of Representatives, and especially on recent military events in Georgia and Tennessee.

Yours, very truly,

A. LINCOLN.

WAR DEPARTMENT,
Washington City, December 9, 1863.

Hon. H. WILSON,
U. S. Senate, Washington, D. C.:

SIR: The Secretary of War directs me to acknowledge the receipt of your communication of the 30th ultimo, suggesting the propriety of issuing a proclamation offering pardon to all deserters who will return to their commands before the 1st of January. After having given the matter due consideration he has come to the conclusion that such a proclamation would not produce the result you anticipate. It would in his opinion greatly increase desertions from the Army, and would, moreover, be a pardon to the very worst class of deserters, who have heretofore escaped arrest, and who would be likely to desert again on the first opportunity. For these reasons it is not deemed expedient to change the present system, which so far has worked very satisfactorily.

Very respectfully, your obedient servant,

ED. R. S. CANBY,
Brigadier-General and Assistant Adjutant-General.

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*See Fry's indorsement of December 1, referred to the President by the Secretary of War, under date of December 8, p. 1094.

GENERAL ORDERS, No. 22½. } HDQRS. U. S. QUARTERMASTER'S DEPT., *In the Field, Chattanooga, Tenn., December 9, 1863.*

The Government transportation on the Mississippi River and its tributaries having become so important and expensive a branch of the service, it is deemed essential, for conducting it efficiently and economically, that there should be unity of action in its management.

I. To secure this an officer of the Quartermaster's Department will be assigned to the general supervision of the western river transportation. His headquarters will be at Saint Louis; but he will from time to time, as movements of importance require his attention, visit the various cities and ports upon the rivers.

II. All quartermasters having charge of river transportation on the Mississippi and its tributaries will make reports to and act according to the instructions of the quartermaster in charge of the western river transportation in all matters pertaining to that branch of the service, not, however, interfering with any reports now required by any army orders or regulations.

III. Quartermaster-General will, from time to time, detail such suitable and experienced assistant quartermasters for this specific service, at important points, as he shall think the good of the service may require.

IV. In order to furnish the necessary information by which to render the western river transportation more efficient, uniform, and economical, all quartermasters in charge of river transportation on the Mississippi and its tributaries will immediately forward to the office of the chief quartermaster of western river transportation at Saint Louis a list of all boats of every kind in Government service, under their orders or control, on the 1st of December, 1863, in accordance with the blank forms herewith. They will also furnish like information semi-monthly until further orders from the Quartermaster-General or chief quartermaster of western river transportation. They will also at the same time advise the office of such transportation as they are likely to require; also whether any changes can be made in the use of wharf or other boats whereby expense can be diminished, and of any accidents in transportation by which Government property has been lost or damaged; also of any wrecked or damaged property in their vicinity requiring attention; also of the amount paid or expended by them for and on account of Government transports, and to what boats; also the cost, quantity, and kind of fuel expended or received for steam-boat use. Though these reports may for a time occasion some trouble, yet it is believed that in a brief period such a system may be educed as will not only tend greatly to economy, but will facilitate and reduce the labor and perplexities of this important branch of the service.

V. Col. Lewis B. Parsons, quartermaster and aide-de-camp, is assigned to duty as chief quartermaster of western river transportation. He will act in this duty subject to the orders of Brig. Gen. Robert Allen, senior quartermaster on the Mississippi, and to such instructions as may from time to time be issued from the Office of the Quartermaster-General or of the War Department.

M. C. MEIGS,
Quartermaster-General U. S. Army.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., December 10, 1863.

Col. J. B. FRY,
Prov. Mar. Gen. United States, War Dept., Washington, D. C.:

COLONEL: By direction of the Secretary of War you will please instruct the officers of your department in the State of Delaware to enlist into the service of the United States for three years or during the war all suitable colored men who may offer themselves for enlistment. Persons offering themselves as recruits should be informed by the recruiting officer that they will receive $10 per month and one ration, $3 of which monthly pay may be in clothing.

The recruits will be sent as soon after enlistment as practicable to the Twenty-second Regiment U. S. Colored Troops, now organizing at Camp William Penn, near Philadelphia, Pa.

Very respectfully, &c.,

E. D. TOWNSEND,
Assistant Adjutant-General.

(Copy to Governor of Delaware.)

BOSTON, *December 10, 1863.*

Hon. E. M. STANTON,
Secretary of War, &c., Washington:

SIR: We beg leave to call your attention to the urgent necessity for some measure which will give an impulse to the recruiting of the 300,000 troops last called for.

In the free States the great numbers already drawn from the workshops and field have seriously embarrassed many branches of the industry upon which the production of the country depends, and it is clearly desirable to reduce the call upon such resources to the lowest point which is consistent with the vigorous prosecution of the war.

On the other hand, there are large sections of the country where the rewards of industry are uncertain, where large numbers of men, black and white, have been thrown out of their usual occupations, and large numbers of those less able are appealing to the charities of the Government and of individuals to save them from actual destruction by cold and hunger.

Sound political economy, humanity, and common sense equally demand that every effort should be made to use this unemployed population as far as possible for filling our armies, instead of drawing too largely upon the well-paid and productive classes of the loyal States.

The producing States can well afford to add such sums to the pay and bounties offered by Government as will relieve their citizens from at least a part of the new call, and at the same time confer a positive benefit upon the loyal and persecuted people of the disaffected States from whom no quotas have been demanded.

For these and other reasons we earnestly recommend that permission should be immediately given to the loyal States to recruit soldiers (against their quotas) in those parts of the rebel States within our control, both to fill up the white regiments now there and to create such black regiments as you may deem it expedient to authorize.

We believe that such permission will encourage recruiting in the loyal States themselves by the assurance of success which it will give, and by bringing forward the many old soldiers who are willing to

enlist, but who are now waiting for the most favorable moment to do so.

We believe, too, that much of the very embarrassing demand for charity will be provided for out of the money thus distributed.

To give full effect to the policy which we advocate it is important that stringent orders should be issued that the black troops shall be treated as soldiers, and only called upon for their share of the fatigue and police work of the whole Army, and that no impressment shall be used except in those emergencies when black and white men alike shall be forced to work or fight for their common country.

We are, respectfully, your obedient servants,

AMOS A. LAWRENCE.
J. M. FORBES.
E. S. TOBEY.
E. R. MUDGE.
HENRY LEE, JR.
[AND THIRTY OTHERS].

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., December 10, 1863.

Col. J. B. FRY,
Prov. Mar. Gen. United States, War Dept., Washington, D. C.:

COLONEL: By direction of the Secretary of War you will please instruct the officers of your department in the State of New York to enlist into the service of the United States, for three years or during the war, all suitable colored men who may offer themselves for enlistment.

Persons offering themselves as recruits should be informed by the recruiting officers that they will receive $10 per month and one ration, $3 of which monthly pay may be in clothing.

The recruits will be sent, as soon after enlistment as practicable, to the Twentieth Regiment U. S. Colored Troops, now organizing at Riker's Island, New York Harbor.

Very respectfully, &c.,

E. D. TOWNSEND,
Assistant Adjutant-General.

EXECUTIVE CHAMBER,
Harrisburg, Pa., December 10, 1863.

The PRESIDENT:

SIR: I have your letter dated 9th instant, inclosing a report of Colonel Fry, referred to you from the War Department under date of 3d instant, and under which you have in part approved the plan for recruiting volunteers which I submitted to you in my letter dated 24th of November last.

Colonel Fry speaks of the existing recruiting officers in this State having been appointed with my approval. This is an error. I have approved only such of them as fall within the description of persons mentioned in my letter to Colonel Bomford, of which a copy is inclosed.* The remainder of the nominations made by me I have not approved. On the contrary, I communicated in writing to Colonel Bomford and Major Gilbert, provost-marshals for the State, my

* See p. 1105.

reasons for not approving these nominations, and my determination to approve no appointment of persons for the recruiting service but men who had already served in the Pennsylvania Volunteers and had not been dishonorably discharged. I inclose you herewith copies of this correspondence with the provost-marshals.

In regard to the continuance of the power of the district provost-marshals to accept recruits, I desire that if it be continued they may forward them directly to the Army, as I do not desire to be placed in a position which might and probably would lead to the embarrassment of the public service. I have never been consulted, nor have my nominations at any time been approved, in regard to the selection of any officer of the United States sent to this State, except district provost-marshals, and in that case only three of the persons whom I approved were appointed; and I am bound to say that many of the district provost-marshals, as well as recruiting agents, are not persons on whom I should rely for good service to the United States.

I would further observe that the delay of your reply to my letter (the cause of which I sincerely regret) has brought us so near to the 5th of January that I much fear that little can be done in raising volunteers if the new draft is to be then gone on with. Still, I will proceed under the authority now given and do what I can.

You will perceive that Colonel Fry refers to plans approved for other States, copies of which were sent to this State. This is so, but in my opinion the plan which I submitted to you under date of 24th November last, as preferred by me, would have been greatly more effectual than the alternative suggestions which you have adopted, and I thought it my duty to present it for your approbation, which I regret much that it has not received.

I am, sir, very respectfully, your obedient servant,

A. G. CURTIN.

HDQRS. DEPARTMENT OF THE SUSQUEHANNA,
Chambersburg, Pa., December 10, 1863

Maj. Gen. H. W. HALLECK,
General-in-Chief, Washington, D. C.:

GENERAL: I respectfully state that I recently met at Reading, Pa., a committee of the coal men of Lehigh Valley. Everything is working excellently in that district, some of the worst characters having been arrested by General Sigel; others have fled from that region, and the operators are again getting their mines under proper control. So soon as the other two anthracite districts, viz, Schuylkill and Wyoming, agree to certain propositions the bad characters will be cleared out of the country. The supply of coal increased with less number of miners, and matters will probably resume the quiet of before the war.

I am, general, very respectfully, your obedient servant,

D. N. COUCH,
Major-General.

EXECUTIVE MANSION,
Washington, December 11, 1863.

General J. M. SCHOFIELD,
Saint Louis, Mo.:

Please come to see me at once.

A. LINCOLN.

COMMERCIAL BANK OF TENNESSEE,
Memphis, Tenn., December 10, 1863.

Maj. Gen. S. A. HURLBUT,
Commanding Sixteenth Army Corps:

DEAR SIR: Quite a number of the British subjects in the city are continually calling on me for advice, &c. I would most respectfully ask of you the favor of answering a few questions, which I hope will enable me to advise them as to the necessary steps to take, and thereby relieve you probably of a number of visits upon the same business.

Your reply in answer to the letter of Mr. Wilkins, Her Britannic Majesty's consul, settles the matter as to the liability of bona fide foreigners to military service for the United States.

1. Is a certificate of nationality from a duly accredited consul sufficient to enable the holder to pass without molestation from the guards after the expiration of General Orders, No. 96?

If not, what certificate is necessary, and to whom shall we apply for such certificate of exemption?

I am, very respectfully, yours truly,

JNO. AINSLIE.

[DECEMBER 10, 1863.—For General Hurlbut's General Orders, No. 169, explaining that General Orders, No. 157, do not require performance of enforced military duty by persons who owe allegiance to foreign friendly powers, see Series I, Vol. XXXI, Part III, p. 375.]

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., December 11, 1863.

Governor J. A. GILMORE,
Concord, N. H.:

A dispatch to the Secretary of War, purporting to be from you, and in the following terms, has been received, to wit:

If you will order your red-tape officers out of New Hampshire, except so far as is necessary to take care of the men after they enlist, I will see that our quota is filled in good shape. Captain Colby, provost-marshal for this district, is a first-rate man. The only drawback is the interference of officers that Government has placed here, which is all wrong. Give us the power to manage in our way, and I pledge myself that New Hampshire shall furnish without a draft the men that the President has called on us to raise. Please answer.

The tone and language of this dispatch indicate that there are abuses going on in your State which demand instant correction. I therefore, in the temporary absence of the Secretary of War, ask that you will tell me by name what officers are interfering with the raising of troops and in what manner they interfere. Please also state definitely what further power you desire in the premises. I believe the only power the Government now reserves in the matter of raising the volunteers called for from New Hampshire is to muster them in and pay them. The Government has endeavored to do everything that Your Excellency desired to enable you to raise your quota, and it therefore has a right to claim that the charges you make against it and your further wishes as to more power may be made so specifically as to enable it to take further action. If, therefore, the above dispatch is genuine, or written by your authority, will you please give specific information by telegraph.

JAMES B. FRY,
Provost-Marshal-General.

EXECUTIVE CHAMBER,
Harrisburg, Pa., December 11, 1863.

Col. J. B. FRY,
Provost-Marshal-General:

COLONEL: I inclose a copy of my letter to the President* in reply to his of the 9th, inclosing your communication to him on the subject of recruiting in Pennsylvania. I have issued a general order embracing the substance of your reply to my letter to the President, and such privileges as were made applicable to this State by your correspondence. It is very important for many reasons that the demands of the Government on this State should be answered without a draft, and I will use every effort to raise volunteers in lieu of it. The decision of our supreme court against the constitutionality of the act of Congress is by no means the only reason for a just anxiety to avoid the necessity for a draft. I may have an opportunity of seeing you before the 5th of January, and I cannot but think that a free interchange of views would help the public service. It will afford me great pleasure to hear from you and to act in harmony with you in the performance of our respective duties in the work.

Very respectfully, your obedient servant,

A. G. CURTIN.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., December 12, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: It is proper for me to report to you the practice of this Bureau in the matter discussed by the Secretary of the Navy in the extract below from his report:

> Under the recent enactment petty officers, acting engineers, and others indispensable to a ship's complement and efficiency, have, as well as seamen, been subject to the draft while on shipboard and in naval service. Some of them on distant stations have been enrolled, drafted, and put to great inconvenience in their efforts to obtain relief, not infrequently subjecting their commander and the seamen themselves to embarrassment. It certainly could not have been intended by Congress that persons in actual service afloat should be withdrawn from the Navy, where they were faithfully discharging indispensable duties, and then be compelled, under the penalties of the law, to go into the Army.

The existing enrollment act does not provide in terms for the exemption of men in the naval service; but when the question came up practically it was decided that it was not best and was not the intention to take men actually in the naval service and put them by draft into the military service, and hence it has been the practice to discharge from obligation to military duty under the draft those men who were actually in the naval service, leaving them to the Navy, but in neither the Army nor Navy were the civil employés held to be exempt; they were in both services alike held to duty under the draft in accordance with the principles announced in the following opinion of Colonel Holt, Judge-Advocate-General.†

I know of no other cause for the embarrassment to which the naval service has been put in this matter, as stated by the Secretary of the Navy, than that arising from the refusal of this Bureau to exempt from the draft civilians connected with the Navy. In addition to the

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*See p. 1163. †See Circular No. 63, August 4, p. 621.

opinion above, the following was also rendered by Colonel Holt, Judge-Advocate-General of the Army.

In the case of clerks of naval or military commanders:

Opinion.—I see no sufficient reason for treating the clerks of naval or military commanders as in the military service within the meaning of the enrolling act.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

SPECIAL ORDERS, No. 318. } HEADQUARTERS SIXTEENTH ARMY CORPS,
Memphis, Tenn., December 12, 1863.

* * * * * * *

X. Brig. Gen. N. B. Buford, U. S. Volunteers, commanding District of Eastern Arkansas, Helena, Ark., is hereby authorized to raise companies from Union refugees, to be organized as infantry and mounted from captured horses and mules. So soon as a sufficient number of companies are mustered into the service of the United States a battalion or regimental organization will be authorized.

The recruiting examination and organization of the recruits will conform to Revised Regulations and the orders of the War Department. Rations will be issued to recruits. Ordnance and ordnance stores, clothing, camp and garrison equipage, and quartermaster's stores will be issued to companies as fast as filled to the maximum and mustered into the service of the United States.

Officers, enlisted men, or citizens proposed for positions in these companies will, before being mustered into the service of the United States, be ordered to appear before the military commission in session in Memphis, Tenn., of which Brig. Gen. W. R. Montgomery is president, for an examination as to their qualifications, mental, moral, and physical, and their fitness, in a military point of view, for commissions in the Army of the United States. If the report of the Board be favorable, persons so reported will be ordered to be mustered into service. Companies must be mustered into service in alphabetical order. All recruits raised may therefore be assigned to incomplete companies.

* * * * * * *

By order of Maj. Gen. S. A. Hurlbut:

T. H. HARRIS,
Assistant Adjutant-General.

STATE OF NEW HAMPSHIRE, EXECUTIVE DEPT.,
Concord, December 12, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C..

MY DEAR SIR: In answer to your telegram of yesterday you will allow me to say, in the first place, that I did send the telegram to which you refer to Secretary Stanton. I did so for the reason that I wanted to raise the men called for by the President's last proclamation without any draft. What I intended to convey by my dispatch was simply this, that in our First Congressional District there is and has been great cause of complaint with Captain Godfrey, provost-marshal, so much so that General Hinks desired me to ask the Department to detail a surgeon from the Army that he might establish

another recruiting office at Portsmouth. I did ask that Doctor Thayer, of the Fourteenth New Hampshire Volunteers, might be detailed for that purpose, which was done; yet no moves have been made to remedy the evil complained of, and I am harassed early and late by the selectmen and recruiting officers of the several towns in the First Congressional District, who say that they cannot raise their quota for the reason that Captain Godfrey is so arbitrary in his orders and so offensive in his manners as to prevent them from enlisting men. General Hinks knows this to be a fact and so does the Hon. John P. Hale, for I am informed that he has been written to repeatedly on the subject, and that a petition from some thirty or forty towns in said district, signed by the most influential men in said towns, has recently been forwarded to him, asking for Captain Godfrey's removal. Now in regard to the Second Congressional District, Captain Colby, provost-marshal, is a first rate man for the position he occupies. He is popular with the people of our State, and his mode of conducting the business of his office has tended to conciliate men of all parties, as will be seen by the fact that more men have been recruited in his district than in both of the others combined. But he is constantly annoyed with conflicting orders relating even to the internal management of his office, which he regards, and in my opinion justly, as an unwarrantable interference with his position as provost-marshal and which tends to retard the business of recruiting. Now, I learn indirectly that rooms have been engaged and a new recruiting office is to be established in this the Second District under the direction of General Hinks, and this, too, without consulting or even notifying the State authorities. The proposition made by General Hinks to myself and council was to request a good surgeon to be detailed for the purpose of examining recruits, and he (General Hinks) would establish a recruiting office at Portsmouth. The Second District needs no additional office, as the marshal, Captain Colby, has recruited and mustered into service (as I have already stated) more men than the other two combined. In establishing an extra recruiting office in the Second District instead of the First, from which nearly all complaints of our people have arisen, the remedy sought cannot be obtained and the wishes of our citizens as well as of our State government are entirely ignored. In your letter of October 18 you say:

> The provost-marshal-general of your State and the boards of enrollment in the different districts will give you all the aid in their power in this and all matters connected with raising troops.

You also say in your telegram of the 12th instant:

> I believe the only power the Government now exercises in the matter of raising volunteers called for from New Hampshire is to muster them in and pay them. The Government has endeavored to do everything that Your Excellency desired to enable you to raise your quota.

If such is your understanding and I have the power that your telegram states it is all that I desire. I believe, as you say, that the Government has been and still is ready to do everything that they should do to enable us to raise our quota, and for that reason I telegraphed to you. The troubles which have mostly been confined in the First District I think now are spreading into the Second, and for the reasons which I have before stated. I am aware that men are unreasonable, but I think Government officers should understand the trouble in raising men, especially in such a State as New Hampshire (when nearly half are copperheads), and do all that can be fairly done to

conciliate and aid us in obtaining our men as early as possible. I desire to assure you that my whole interest and aim is to fill our quota. I want New Hampshire to give the last man that the Government calls for, and it will be my aim as Chief Magistrate of our State to respond promptly to all calls made upon her. My whole aim has been and shall be to aid all in my power in putting down the rebellion, and I feel that it is my privilege and my right if obstructions are thrown in my way or any course is pursued that retards raising our men to appeal to the War Department at Washington, believing most fully they will correct anything that is wrong. It must be apparent to yourself and to the Secretary of War (whom I desire should see this letter) that those of us who are citizens of New Hampshire and understand the habits of our people are quite as competent to manage the matter of recruiting and quite as much interested in promptly filling our quota as are officials who are quartered here from without the State. I have no disposition to interfere with the proper and legitimate duties of the Government officials here, nor do I wish them to interfere with mine.

Hoping, my dear sir, that I have satisfactorily explained my telegram, and believing that you will fully appreciate the motive I had in sending it,

I am, very truly, your obedient servant,

J. A. GILMORE,
Governor of New Hampshire.

CHATTANOOGA, *December 13, 1863.*

Colonel FRY:

If companies belonging to one regiment wish to re-enlist as veterans in another regiment can't they be transferred? What is to become of recruits who have recently joined these regiments who wish to re-enlist as veterans? What is to become of men who have not served two years in regiments, the majority of whose members are eligible as veteran volunteers? I desire to reorganize as such.

GEO. H. THOMAS,
Major-General.

EXECUTIVE MANSION,
Washington, D. C., December 13, 1863.

General J. M. SCHOFIELD,
Saint Louis, Mo.:

On the 11th I telegraphed asking you to come and see me. Did you receive the dispatch?

A. LINCOLN.

[DECEMBER 14, 1863.—For Grant to Hurlbut in regard to the impressment of citizens into the military service, and inclosing letter from Governor Bramlette, of Kentucky, upon the subject, see Series I, Vol. XXXI, Part III, page 410.]

GENERAL ORDERS, No. 395. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, December 14, 1863.*

The Paymaster-General is, under the direction of the Secretary of War, charged with the military responsibility of the Pay Department

in all its details. The subordinate officers, being confined exclusively to the disbursement of public money, are subject only to the orders of the Secretary of War, the Paymaster-General, and the senior officers of their own department, except that they are liable to arrest by the senior officer of the department, or command, to which they may be assigned for the regular payment of troops. The arrest of a paymaster will be immediately reported to the Paymaster-General, in order that the case may be brought before the Secretary of War for such action as he may direct.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

COMMONWEALTH OF KENTUCKY, EXECUTIVE DEPT.,
Frankfort, December 14, 1863.

A. LINCOLN,
President of the United States, Washington, D. C.:

Col. B. H. Bristow, member of Kentucky Senate, and a Union man of the true and intelligent stamp, visits you to confer in relation to some troubles which exist in our border Green River counties.

He is fully apprised of my policy and enters into it heartily. The difficulties will be explained and the remedies and reason suggested.

A little kindly aid—a tub thrown to the whale—will greatly promote the success of the Union men of Kentucky.

The logic of events is working to conclusion, but its force may be aided or broken by the action of the Federal authorities. I solicit for Colonel Bristow a hearing. I believe good can be accomplished.

Respectfully,

THOS. E. BRAMLETTE.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., December 15, 1863.

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: I am prepared to turn over whenever the Treasurer informs me that he is directed to receive it all money on deposit to my credit which has arisen from the payment of $300 to secure exemption from military duty under the draft.

In this connection certain questions arise:

First. Shall the money pass into the Treasury as unappropriated funds, and hence not available for use without the action of Congress, or shall it be deposited on account of the appropriation for the procuration of substitutes as provided by section 13 of the act approved March 3, 1863, for enrolling and calling out the national forces?

Second. Who shall audit the accounts arising from the receipt and disbursement of this fund? This question must be decided before the money after passing into the Treasury can be drawn out for use, even if deposited in accordance with the second branch of the query above.

Third. By whom shall the accounts hereafter of receivers of commutation money, for their percentage on money received by them and deposited to the credit of the Treasurer of the United States, be adjusted and paid?

I do not think the enrollment act requires or contemplates that this money shall pass into the Treasury. On the contrary I think the law

looked to the receipt and immediate expenditure of it under the direction of the Secretary of War. The act says:

> Any person drafted and notified to appear, as aforesaid, may, on or before the day fixed for his appearance, furnish an acceptable substitute to take his place in the draft; or he may pay to such person as the Secretary of War may authorize to receive it such sum, not exceeding $300, as the Secretary may determine for the procuration of such substitutes.

The terms and intention of the act seem to me to be that the money should be received and immediately disbursed under the orders of the Secretary of War. In accordance with this view a part of the fund has been disbursed in procuring substitutes, and statements rendered weekly to the Secretary of the Treasury.

The labor of my office will be much reduced by transferring the money to the Treasury Department, and my only wish is that it may not be diverted from the "procuration of substitutes" (recruits), for which it has already been pledged by this Bureau.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., December 15, 1863.

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: The following extract from the report of the Secretary of the Treasury gives, I think, an erroneous impression on the subject of commutation money arising from the draft:

> The important and responsible duty of securing and keeping, under the direction of the President and War Department, commutation money from drafted citizens has been assumed by the collectors of internal revenue at the instance of the Secretary of War.
>
> In the judgment of the Secretary of the Treasury this money should be paid directly into the Treasury and drawn out upon requisitions for the purposes to which it is appropriated by Congress. The Secretary of War thought, however, that the other mode of collection and disbursements would be less burdensome to drafted men and more convenient for the payment of substitutes. His wishes were promptly complied with and the whole matter is now submitted to Congress.

The money is received by collectors of internal revenue, but the "important and responsible duty of securing and keeping" it has not been imposed upon them. On the contrary they are not permitted to keep it any longer than is absolutely necessary. It is deposited to my credit and kept in the designated depositories of the U. S. Treasury Department, and is regularly and officially reported to the Secretary of the Treasury, and after deposit is in no manner under the control of collectors of internal revenue. "In the judgment of the Secretary of the Treasury this money should be paid directly into the Treasury and drawn out upon requisition for the purposes to which it was appropriated by Congress." It passes now as directly as possible into the custody of the officers of the Treasury Department and is drawn out by check as money is required to procure recruits ("substitutes"). In the interview had between the Secretary of the Treasury and yourself to arrange for the receipt and deposit of this fund before it commenced to accrue I understood the Secretary of the Treasury to say that if the money passed directly into the Treasury it could not be drawn out without further legislation, and to obviate this difficulty and carry out the intention of Congress,

which was to have the money used immediately to procure substitutes, a plan was adopted at that interview which I understood to be the one now in force. If either the views of the Secretary of the Treasury or your orders in relation to this fund have not been carried out it is only because I have not understood them.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

CIRCULAR.] WAR DEPT., ADJUTANT-GENERAL'S OFFICE,
Washington, December 15, 1863.

It is directed by General Orders, No. 376, current series, from the War Department, that re-enlisted volunteers returned to their States shall report, through the Governor, to the superintendent of the volunteer recruiting service.

When officers and men so report, the respective Governors and superintendents should arrange to place such as can be profitably employed on recruiting service on that duty; the others to be furloughed for the time authorized by General Orders, No. 376.

When furloughs are granted they must be signed by the superintendent, who will direct that at the expiration of the time granted, the parties furloughed shall report at a stated rendezvous, else be considered deserters.

Superintendents will arrange, under exising regulations, for the transportation and subsistence of those placed on duty.

Upon the assembling of the veteran volunteers at the rendezvous, after the expiration of the furloughs, superintendents will report the respective commands (regiments, companies, or detachments) to the Adjutant-General of the Army for orders. The reports will give the strength of the command; the number of recruits for it, obtained during the furlough, to be stated separately.

In returning the volunteers to the field, the superintendents will arrange with the Quartermaster's Department for the necessary transportation.

Superintendents will confer with the Governors, and arrange with them as to the points of rendezvous for the volunteers herein referred to. The rendezvous must be at points where there are already public barracks or quarters; and if the accommodations are not sufficient for the number to rendezvous thereat, the Quartermaster's Department, on the requisition of the superintendent, will supply the deficiency.

At the respective rendezvous the Subsistence Department will be charged with the subsistence of the troops. The superintendents will advise the Subsistence Department of the number of troops that will have to be supplied.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., December 15, 1863.

His Excellency ANDREW G. CURTIN,
Governor of Pennsylvania, Harrisburg, Pa.:

SIR: Your letter of December 11 has been received. I sincerely hope that another draft may not be necessary in Pennsylvania, and

everything I can do to aid you in raising volunteers to avoid it shall be done. My business and desire is to get men for the Army, and if they can be secured without a draft, it is certainly best that we should not resort to that method of raising them.

In relation to the recruiting agents, my object was to enlist the services in that capacity of men of activity and influence, and especially acquainted with the matter of raising volunteers. On this account I particularly directed that the State authorities should be satisfied in reference to them. I thought it would be best to have a certain number in each district, and let it be profitable to them if they succeeded, so that they could devote their entire time and attention to it. This seemed to me better than to open it to everybody, on the principle that what is everybody's business is nobody's. If, however, you think it best to open it to all, or if you desire to have more, or if you think those selected unfit and should be discontinued, you can present an extract from this to Colonel Bomford to carry out your wishes.

Your letter to the President, and other things which have come to my knowledge, led me to suppose that Colonel Bomford does not fill his position to your entire satisfaction. Would it be more agreeable to you to have him replaced by Lieut. Col. John P. Sanderson, Fifteenth U. S. Infantry? He has been mentioned to me as a very capable officer.

I believe Major Gilbert gives satisfaction in Philadelphia. I shall be happy to receive your suggestions at any time, and to aid in carrying them out as far as possible, and my views in the matter of raising troops, whether by volunteering or drafting, are always at your command.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., December 15, 1863.

Maj. J. W. T. GARDINER, U. S. Army,
Actg. Asst. Prov. Mar. Gen. for Maine, Augusta, Me.:

MAJOR: The Provost-Marshal-General directs me to inform you that, in accordance with orders from the War Department, persons who establish the fact before boards of enrollment that they are conscientiously opposed to bearing arms and to paying the commutation money for exemption from draft, and that they belong to a religious society whose creed prohibits them to serve in the Army or to pay commutation money, shall when drafted be put on parole by the provost-marshal of the district in which they were drafted, to report when called for.

I am, major, very respectfully, your obedient servant,

GEO. D. RUGGLES,
Assistant Adjutant-General.

(Similar letter sent to Brigadier-General Hinks, New Hampshire; Major Clarke, Massachusetts; Brigadier-General Hays and Major Diven, New York; Lieutenant-Colonel Buchanan, New Jersey; Major Gilbert and Lieutenant-Colonel Bomford, Pennsylvania; Major Jeffries, Maryland; Lieutenant-Colonel Darr, West Virginia; Colonel Baker, Indiana; Lieutenant-Colonel Hill, Michigan; Lieutenant-Colonel Lovell, Wisconsin; Major Duncan, Iowa; Colonel Alexander, Missouri; Captain Clarke, Kansas.)

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., December 17, 1863.

SIR: The following instructions in regard to the discharge of enlisted men belonging to the Invalid Corps are furnished for your information and guidance:

Men of the Invalid Corps will be discharged in the same manner as other soldiers—for disability, for promotion, or by sentences of courts-martial, by the commander of the corps or department in which they may be serving. Men discharged by expiration of service should be mustered out of service by the commissary of musters of the corps or department in which they are serving.

Though a department commander may not exercise an immediate command over the Invalid Corps, this matter of discharge is intrusted to him for convenience of administration.

I have the honor to be, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

NEW ORLEANS, *December 18, 1863.*

The PRESIDENT:

SIR: I concur in the opinion so generally entertained, that it is for the interest of the country to deplete the rebel territory of that species of property which is made the basis of credit for the rebel Government with foreign nations. But great care is necessary to avoid an injury to ourselves in the operation.

Unless the ultimate and final disposition of the proceeds of this property be ascertained, we may find that the munitions of war furnished to the rebels and the pirates that prey upon our commerce may be paid for and supported by rebel products passing through our hands to the markets of the world. No commercial advantages can counterbalance so great a wrong as this. In April I recommended that the cotton in Western and Northern Louisiana be allowed to find a market, one-half or 50 per cent. of the proceeds of sales being retained by the Government, but the Secretary of War thought it then not expedient to adopt this policy. The agents selected for the execution of the plan proposed should be designated by the General Government. These two points guarded—protection from public injury by the misappropriation of the proceeds of the sale of this property, and the selection of proper agents, if it cannot be made a general trade—I see no objections to the proposal made by the Treasury agents of this department.

I have the honor to be, with high respect, your obedient servant,

N. P. BANKS,
Major-General, Commanding.

WASHINGTON CITY, D. C., *December 19, 1863.*

Hon. E. M. STANTON,
Secretary of War:

SIR: The following suggestions are believed to be the proper remedies for the evils complained of by the citizens of Southern Kentucky:

First. Let an order be issued removing the recruiting camps for U. S. colored troops at Clarksville and Fort Donelson, Tenn., to points farther south of the Kentucky border—say Columbia and Jackson.

Second. Or if this proposition be deemed incompatible with the interests of the service, it is suggested in lieu thereof the officers of camps in Tennessee be forbidden to receive Kentucky negroes within their lines.

Third. Order that descriptive lists or certificates be given to every citizen of Kentucky (except those in the rebel army or otherwise notoriously connected with the rebel Government) whose slave has been enlisted.

Fourth. Require all officers commanding camps and detachments in Tennessee to make restitution of all property stolen by fugitive slaves from Kentucky and brought into their lines, and the slaves themselves surrendered as fugitives from justice, upon the requisition of the proper civil authorities in Kentucky.

I am, sir, very respectfully, your obedient servant,

B. H. BRISTOW.

We approve the foregoing suggestions and are hopeful they will accomplish the end desired, if granted by the War Department.

C. F. BURNAM.
GEO. H. YEAMAN.

EXECUTIVE CHAMBER,
Harrisburg, Pa., December 19, 1863.

Col. J. B. FRY,
Provost-Marshal-General:

COLONEL: I received your letter [of 15th] on the 17th, and notice contents.

I did not intend to say or intimate in any letter to the President or yourself my dissatisfaction with Colonel Bomford, with whom all my relations are pleasant.

If a change is made for other reasons by the Government in his office, I beg that I may be consulted before it is made. I do not desire the removal of Colonel Bomford and the appointment of Colonel Sanderson in his place.

Very respectfully, your obedient servant,

A. G. CURTIN.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., December 20, 1863.

Hon. H. S. LANE, M. C.,
U. S. Senate Chamber:

DEAR SIR: Your note of yesterday asking for certain facts connected with the late draft, and my opinion on certain points in the enrollment act, is received. I inclose a proof of my official report, with appendix, which answers nearly all your questions.* The late draft was conducted with a great deal of care, and though the next may be better managed, it is yet reasonable to assume that the general results in future, even if the entire population is drawn out, will, under the same law, be about as they have been in the draft just closing. "Figures don't lie," and to understand the subject let us take an arithmetical view of it. We have enrolled in round numbers 3,000,000 of men; from these we are to draw. As stated above, the

*See p. 1046.

proportions of men held to service, exempted, &c., in the late draft will hold through the whole of this 3,000,000. Under the late draft one-third were rejected as physically or mentally unfit; one-third exempted under the second section of the act and as aliens, unsuitableness of age, &c., the other one-third being held by the Board of Enrollment.

This reduces our capital to 1,000,000. Now let us see what becomes of it. One-seventh of it is held to personal service, two-sevenths furnish substitutes, and four-sevenths pay commutation money; that is to say, if we draft all the men in the nation, we have the following result:

Original drafted men put in service	142,000
Substitutes	284,000
Total number of men which can be got from the whole nation under the present law	426,000
Exempted by commutation clause	568,000

It is therefore seen that, after all the time, labor, vexation, and expense of drafting and examining the whole nation, we will at best get but 426,000 men. The present law allows but one surgeon in a Congressional district. Supposing each district to consist of 10,000 men, and remembering that the examination of 100 men a day is the largest job a surgeon can do, and that, after being examined himself, the drafted man may have his substitute examined also, and that Sundays come in, and that the exact number will not always be in readiness for a full day's work, it will be found that it will take about a year to get through the physical examination necessary to get our 426,000 men.

At the end of a year, therefore, we find that we have got 426,000 men, but the astounding fact is also found that to all who furnished substitutes or paid commutation money—six-sevenths of the million of men in the country found fit for duty—we have granted certificates giving a pledge that the Government will not call on them for military service for three years.

In short, after our year's work we will have exempted the Nation from military duty for three years, instead of requiring the performance of it to put down this rebellion.

Under these circumstances the present law may be properly called one for "enrolling and calling out the national forces;" but if it is one calculated to raise and maintain an army I cannot see it. The results may, of course, be much more unfavorable than I have presented them. It may be that all will next time, by corporations or clubs, pay the $300, and we get no men at all. I would here remark that it was last year, perhaps, wise to have passed the law as it is, and let its defects become manifest to the country, but there is no sophistry now which can disguise the fact that it is not in proper shape to recruit the Army.

I don't know that the $300 clause can be said to have had alone any special effect on volunteering. In many places volunteering was stimulated by the effort on the part of the people to raise their quotas and avoid the draft. It is probable if the $300 clause should be repealed that volunteering at this time would be somewhat prejudiced by it, as a few men not at present pressed for money, who would otherwise enlist, would wait to see if another draft took place, and whether they could not get a higher price as substitutes. I don't see however, that legislation should be shaped to suit this momentary

state of affairs; on the contrary, in a measure of this kind, it strikes me that the object should be to create a system by which the General Government can surely and practically and promptly create and recruit an army either for the campaign of 1864 or 1874.

We have gradually and very naturally run into the evil system of large bounties, &c. I think the sooner we can extricate ourselves from it the better. It is absurd to try to compensate the soldier fully in money for his services, and it is equally absurd to try to establish or approach an equality between the compensation of the officer and the private.

The bounties, as now provided by the War Department, were a necessary part of the draft law, which required the money raised to be used to procure substitutes, which amounts to nothing more or less than offering a bounty to recruits. I think it was a proper and necessary step of the War Department to carry out the law and meet the present emergency, which is to supply the place of the men whose terms expire next spring and summer by getting new recruits for those regiments and secure the re-enlistment of the men now in them. As soon as this emergency shall have been met I think the large bounties should cease. My views as to the act which should now be passed appear in a project herewith, marked "An act to provide for recruiting the national armies." From the little I have gleaned from the proceedings of Congress thus far, I think the members generally do not appreciate the extent of the machinery required and the time and labor necessary to draft men into service. It is important that this should be considered; see, for example, the labors expected of a single surgeon in each Congressional district. The fact is that I never could have got along at all without employing others, and this I have done.

Excuse the length of this communication and the haste in which it has been prepared. Your letter inviting this only reached my desk this morning.

Very truly, yours,

JAS. B. FRY.

P. S.—I give below a letter from this morning's Chronicle, with editorial notice, and as it is calculated to be mischievous I will notice it to you:

THE CONSCRIPTION LAW.

TO THE EDITOR OF THE CHRONICLE:

SIR: The proposed amendments to the "conscription law," so called, do not to very many loyal men seem as a whole calculated to give greater force and efficiency to that law. I trust you will grant me sufficient space in your widely circulated journal in which to present, what seem to many, serious objections to some of the proposed amendments.

The abrogation of the $300 commutation clause.—First. Because this clause was intended to and did inure to the benefit of the poorer classes.

Second. Because it operated to accomplish the object of the law—the procuration of men, in a double sense; that is to say, many men physically disabled from personal service, finding this cheap and easy way to aid the Government, waived examination and produced either an accepted substitute or the money before the boards. Many more would do likewise should the clause be retained.

Third. Its abrogation would defeat the object of one excellent amendment proposed—that by which any person enrolled may before the draft takes place present an acceptable substitute and receive credit therefor. This amendment would procure many men, and I think obviate the necessity for a draft in future, provided the present commutation clause could be retained.

Fourth, and finally. Because the record shows that every dollar of the $12,000,000 received for commutation has been exhausted, thus showing further that the Government has received a man for every $300 paid in, which is conclusive proof that the clause was wisely inserted, and has contributed measurably to the efficiency of the law.

The abolition of classes.—The object of classification of liables was twofold: First, it looked to the interest of the country in favoring men who have families to rear and provide for; and second, it took into consideration the fact made evident by research that the age of military endurance and efficiency lies between twenty and thirty-five years.

A FRIEND TO THE GOVERNMENT.

* * * * * * *

The communication in another column, on "The conscription bill," is from the pen of a practical and a patriotic thinker. General Wilson, of the Senate, has his own doubts as to the propriety of annulling the $300 exemption clause in that law, and at the request of our able correspondent we direct General Wilson's attention, as well as the attention of others, to the arguments in the communication referred to.

* * * * * * *

First. It is not the fact that the $300 has inured to the benefit of the poorer classes; on the contrary, none but the poor have gone into service under the draft. The $300 clause has relieved the rich entirely from the burden of the draft and has made it bear lightly upon the middle class. The poor alone have not been relieved. The poor have already contributed much, and the rich and the middle class but little in personal service to the war.

Second. It is not the fact that this clause has accomplished the procuration of men in a "double," or even a single, or any other sense. It is not the fact that "many men physically disabled" waived examination and paid money, or procured substitutes. On the contrary, no privilege was more urgently and uncompromisingly claimed than that of being first examined and held to service before furnishing a substitute, or paying money, and the clamor on this point was so great that the law was construed to afford a privilege which it did not provide. The act said that "on or before the day fixed for his examination a drafted man might pay," &c., clearly meaning that after that day he could not pay or furnish a substitute. On this point the clamor was so great that the law was made to mean what it did not say or intend, viz, that a man might furnish a substitute or pay after the day fixed, &c.

Third. The abrogation of the $300 clause would not defeat substitution before draft.

Fourth. It is not true that the record shows that every dollar of the $12,000,000 received from the draft has been exhausted, thus showing that the Government has received a man for every $300. On the contrary, more than two-thirds of the twelve millions still remains in my hands.

"The abolition of classes." The age of military endurance and efficiency in this country does not necessarily lie between the ages of twenty and thirty-five; there is quite as much, if not more, hardship in taking a married man under thirty-five from his family than there is in taking one over thirty-five.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, December 21, 1863.

In order to secure to each State and district its just credit for colored troops furnished, and to secure compensation to the owners of enlisted slaves, it is ordered:

First. That officers engaged in recruiting colored troops in any State, upon any colored recruit being brought by his owner, shall, upon such recruit being accepted, give to such owner a certificate of the fact, together with a descriptive list of the recruit so received, in order that the owner may receive a compensation as hereafter provided.

Second. That recruiting officers be required to give to every person claiming a colored recruit as his or her slave, that has offered himself

and been accepted, a descriptive list, describing the recruit with sufficient certainty to identify him, in order that the owner may receive compensation; provided, that this shall not extend to any claimant who is in the rebel army, or otherwise notoriously connected with the rebels, or has furnished aid and comfort to the rebellion.

Third. That officers commanding recruiting camps and stations shall make restitution to the owners of any property stolen by slaves and taken into camp, and upon satisfactory proof of ownership being furnished by the claimant; and provided further, that such claimant shall not have been engaged in the rebellion or furnished aid and comfort to the rebels.

Fourth. That the slaves enlisted into the service of the United States shall be credited to the quota of the State, district, and county to which they belong, and loyal owners shall be entitled to compensation for their slaves, to be ascertained in the manner provided for by the regulations of this Department in respect to slaves enlisted into the service from the States of Maryland, Missouri, and Tennessee.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CIRCULAR.] WAR DEPT., ADJUTANT-GENERAL'S OFFICE,
Washington, December 21, 1863.

COMMANDING GENERAL DEPARTMENT OF THE EAST:

The following furnished for your information and government:

General Orders, No. 376, current series, from this office, provides that if three-fourths of a veteran regiment re-enlists, the officers may take the volunteers so enlisted home in a body.

Three-fourths of a veteran regiment will be understood to mean three-fourths of those within the limits of the army in which the organization is serving, and not to include those absent as prisoners of war, in general hospitals, &c.

Where there are men in a veteran organization who do not come within the limits for re-enlistment, and are yet willing to re-enlist, they will be permitted to go on furlough with the regiment, in case it goes in a body, and those only will be left behind who are within the limits and yet refuse to re-enlist. The men willing to re-enlist will, of course, not be discharged and remustered till they come within the limits; that is, have less than one year to serve. Two years' service is necessary to secure the bounty of $100 provided by the act of Congress promulgated in General Orders, No. 49, 1861.

By order, &c.:

E. D. TOWNSEND,
Assistant Adjutant-General.

(Copies to commanding generals of Departments of the Northwest, the Pacific, Western Virginia, the Susquehanna, the Monongahela, Army of the Potomac, Department of Virginia and North Carolina, Department of the Tennessee, Nashville, Tenn.; Chattanooga, Tenn.; Department of the Gulf, New Orleans, via Cairo, Ill.; Department of the Ohio, Cincinnati, Ohio; Department of the Missouri, Saint Louis, Mo.)

HEADQUARTERS KENTUCKY VOLUNTEERS,
ADJUTANT-GENERAL'S OFFICE,
Frankfort, Ky., December 21, 1863.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.:

SIR: There appears a remarkable discrepancy as to the number of troops Kentucky has placed in the field, as shown by the records of the War Department, and those in the office of the adjutant-general of the State. The last exhibit forwarded here by the War Department, in October, credits us with 40,271 men. About the same time the last call for volunteers was made and the quota of Kentucky announced as about 12,000 men.

Our own rolls show that we have placed in the field 37,636 men for three years, 13,679 men for one year, and 3,737 men for shorter periods, making a total of 55,052.

Adding to the number credited us by the Government our quota under the late call, we find a total of 52,271, which is 2,781 less than the State has already furnished to the service, or but 956 men more than we have furnished for the two longer periods of service.

The General Assembly of Kentucky, now in session, has passed resolutions requesting me to send an accredited agent of the State to the General Government, empowered to examine into the large discrepancy existing between the records of our own and the War Department and to ask a suspension of the draft in this State until the mistake can be explained and rectified. I have, therefore, deputed Adjutant-General Boyle as my agent, who is authorized to lay before you accurate statements of our State returns of troops, verified by data in his office.

He is instructed to ask, among other things, that—

First. The draft be suspended in Kentucky until the above-mentioned mistake can be rectified and the State accurately charged with her proportions to the service and credited with her volunteers. In this connection it will be remembered that Kentucky stands on a singular footing as to her one-year's men, 8,445 of whom were raised under the act of Congress authorizing a special force in the State.

Second. The draft be enforced as to counties, not as to Congressional districts, thus rendering smaller communities responsible for their want of loyality, and crediting those generally loyal counties which have heretofore willingly borne the burden of the war. The importance of this cannot be overestimated, as the rebel sympathizers should be compelled to bear a portion of the burdens they contributed to produce.

The unanimity with which those resolutions passed the Legislature shows the great desire of our people to have these requests granted. From their evident fairness, from the strongly expressed opinions of the Legislature as to their necessity, from the patriotism with which Kentuckians have ever responded to the calls of the President, I rest satisfied that Your Excellency will extend the modifications of your general rules herein requested and permit us to announce to the people that each community must contribute its due proportion to our Army, and that collectively we will receive our due credit for those already contributed.

Very respectfully, your obedient servant,

THO. E. BRAMLETTE,
Governor of Kentucky.

[Indorsement.]

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., December 31, 1863.

Respectfully returned with report as required.

The Adjutant-General of the Army says:

The statement in the letter of His Excellency the Governor that "a remarkable discrepancy" exists, as shown by the records of the War Department and those of the State, cannot be supported by the records of this office.

The statement results from the State authority omitting to observe that the exhibit sent the Governor by the Adjutant-General of the Army only embraces credits of men furnished by the State to include June 30, 1863.

By that statement the State is credited as follows:

			Three-years' standard.
Three-years' troops	34,207	=	34,207
Nine-months' troops	793—1 to 4	=	198
Twelve-months' troops	5,129—1 to 3	=	1,709
Total	40,129	=	36,114

Per statement from the adjutant-general of Kentucky, rendered in June last, the State claimed as follows:

			Three-years' standard.
Three-years' troops	35,055	=	35,055
Nine-months' troops	875—1 to 4	=	219
Twelve-months' troops	5,594—1 to 3	=	1,864
Total	41,524	=	37,138

Thus leaving a difference between the records of the War Department and of the State, to include June, 1863, of 1,024 men.

This number is made up of recruits sent to regiments in the field; but as this office has no official evidence of their having been mustered into U. S. service it remains for the State (she claims them) to furnish that evidence. When furnished the credit will be promptly given.

The Department has not notified the Governor of the number of men mustered in and credited to the State since June 30, and therefore the State authorities are premature in saying a discrepancy exists between the State and U. S. records since that date.

Since the receipt of the letter of His Excellency, to which this is a reply in part, the records of this office have been examined and the following number of troops reported since June 30 can be credited:

One-year (under 20,000 act)	7,258
Three-years	200
Total one and three-years' men	7,458

Of the number, 7,258, the Department has not yet the official evidence of muster in, but it has been called for, and when received it is believed the number will be increased to 8,445, as claimed by the State.

As to the 3,107 emergency troops who served for a brief time, the rule of the Department will not allow a credit to be given.

No State has been credited with troops of that class. Of this the Governor was advised by letter on the 29th instant.

The State therefore claims to date, exclusive of emergency men, 51,945 (three-years, nine and twelve months); the United States claims credit now of 47,578 (three-years, nine and twelve months), leaving a difference of 4,367.

This difference will be reduced to a smaller figure if the State can supply official evidence of the muster in of 1,024 men claimed as furnished prior to June 30, and still further reduced when the official reports, daily expected from the mustering officers, shall have been received at this office.

The records of the State and the United States will then nearly agree.

The following are the quotas assigned to the State from this office:

Under calls of 1861 and prior to that of July 2, 1862	27,287
Under call of July 2, 1862, for 300,000 volunteers	14,905
Under call of August 4, 1862 (General Orders, No. 94, Adjutant-Generals' Office, 1862), for 300,000 militia	14,905

THOMAS M. VINCENT,
Assistant Adjutant-General.

P. S.—It is due the Adjutant-General's Office to add that careful attention has been given to the subject of credits for the respective States. With the view of having the records of the State and the War Department agree, the respective Governors were asked by circular of September 3, 1863, to furnish this office quarterly with a statement of troops furnished by their respective States. For the quarter ending September 30 no reply from Kentucky to the circular has been received, and therefore it was not until the receipt of the Governor's letter of the 21st instant that the number claimed by the State since June 30 was known.

A point made by the Governor of Kentucky is that the quotas assigned to that State in 1861 and 1862, on the basis of population (census of 1860), were too large, from the fact that many of their men had left the State and joined the rebellion.

I think this point is well taken, and it accounts in part for the fact that some of the border States are deficient on former calls.

I think it would be only just to consider the quotas assigned to Missouri, Kentucky, Maryland, and West Virginia on the basis of population as reduced by the difference between the quota thus assigned and that now ascertained by the enrollment.

I am, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

[Inclosure.]

RESOLUTIONS.

Mr. J. J. Landram, Military Affairs, reported a preamble and resolutions as a substitute for certain bills referred to said committee; which were debated, amended, and then passed. They read as follows, viz:

Whereas, in consequence of the hasty manner in which the troops of Kentucky were furnished, and the irregular manner in which inexperienced officers received volunteers—some regiments sent into the service partly full and afterward filled while in the field—a discrepancy of several thousands exists between the number of men actually furnished by Kentucky and the number credited to her in the Adjutant-General's Office at Washington;

And whereas, from the irregularities aforesaid there are thousands of men in the service from Kentucky for whom the adjutant-general of Kentucky cannot give descriptive lists, because they are not, as they ought to be, in his office;

And whereas, it is occurring every week that widows and orphans are sending to the adjutant-general of Kentucky for descriptive lists of their husbands and fathers, who have fallen in the service, for the purpose of obtaining bounties, back pay, and pensions, yet they cannot be furnished: Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor is requested to send an agent to the President and request a postponement of the impending draft until the discrepancy between the offices of the Adjutant-Generals of the United States and Kentucky can be adjusted, and the number of men for which Kentucky is entitled to be credited be ascertained.

Second. That the adjutant-general of Kentucky is hereby directed to take immediate steps to procure, and file in his office, full and complete descriptive lists of all the soldiers Kentucky has furnished the General Government during the present war.

Third. That the Governor is hereby directed to pay the same out of the military fund, for the amount he may cause to be expended

under the first resolution, and also for such amount as the adjutant-general shall expend under the second resolution, upon being satisfied by competent testimony that the amounts presented to him for payment were actually and necessarily expended for these purposes and none other.

COMMONWEALTH OF KENTUCKY, EXECUTIVE DEPT.,
OFFICE OF SECRETARY OF STATE.

I, E. L. Van Winkle, Secretary of State for the Commonwealth of Kentucky, and keeper of the archives thereof, do hereby certify that the foregoing printed resolutions contain a correct and full copy of resolutions entitled "Resolutions on Relation to Military Enrollment," &c., approved December 22, 1863, as the same appears on the enrolled resolutions on file in my office.

In testimony whereof I have hereunto set my name and signature and affixed the seal of my office.

Done at Frankfort on this the 22d day of December, 1863, and in the seventy-second year of the Commonwealth.

E. L. VAN WINKLE,
Secretary of State.

WAR DEPARTMENT,
Washington City, December 22, 1863.

Ordered:

That Major-General Gillmore, commanding the Department of the South, be, and he is hereby, authorized:

1. To enlist and organize all the colored troops that can be recruited in his department, the said enlistments to be in accordance with the rules and regulations of the service and of the War Department relating to the organization of colored troops, and such further orders as may from time to time be given by the Department.

2. General Gillmore is authorized to appoint a board for the examination of white persons to officer the regiments and companies so raised by him, and to make provisional appointments of the persons passed by said board and appointed by him, reporting their names to this Department for its approval, and if approved, such persons will be commissioned by the President, as in other cases of colored troops. He may also appoint a mustering officer, and have the officers and men mustered in at such times as he may deem proper.

3. The troops so raised may consist of infantry, cavalry, and artillery, and in such proportions as General Gillmore may deem most beneficial for the service, their pay and allowance to be in accordance with the act of Congress and the rules and regulations of the service respecting colored troops, but a bounty may be allowed not to exceed the sum of $10, payable out of the fund for procuring substitutes, as in the case of recruits in the Department of Virginia.

4. All other authorities for raising colored troops within the department aforesaid shall be subject to the direction of Major-General Gillmore until further order.

5. That General Gillmore is authorized under the foregoing regulations to procure recruits from Key West or in the States of Georgia, Florida, and Alabama; not, however, so as to interfere with the engineer service at Key West.

6. All the colored troops now in the Department of the South, or that may be recruited therein, or that shall be sent forward, may be organized in such brigades, divisions, and corps as General Gillmore

may deem most advantageous to the service, he making report to Major Foster, chief of Bureau in the War Department for Organizing Colored Troops.

7. The colored troops to be called U. S. troops and numbered by regiments in consecutive order as organized.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

[DECEMBER 22, 1863.—For General Hurlbut's Special Orders, No. 328, suspending General Orders, No. 157, with reference to impressment of citizens in so much of Kentucky as is included in the Sixteenth Army Corps, see Series I, Vol. XXXI, Part III, p. 470.]

CIRCULAR.] WAR DEPT., ADJUTANT-GENERAL'S OFFICE,
Washington, December 23, 1863.

I. The six-months' troops now in the service of the United States who may desire to re-enlist for three years or during the war, before the expiration of the six-months' term, will be re-enlisted for the increased term, under the following regulations:

1. Where three-fourths of a regiment or other organization re-enlists, the officers thereof will be permitted to retain the rank held by them under the six-months' term.

2. Should less than three-fourths re-enlist, said force will be organized into one or more companies, of the authorized strength, and officered by such officers as may be selected from the original command, by the commanding-general of the army or department. The remainder will be continued under the remaining officers until the expiration of the six-months' term, and then discharged the service.

MUSTERS OUT OF SERVICE.

3. The muster out or discharge of all men who may re-enlist, and their re-enlistments and consequent remusters, will be under the immediate supervision and direction of the commissaries and assistant commissaries of musters for the respective armies and departments. The said officers will make all musters out of and remusters into the service.

4. All men who desire to take advantage of the benefits resulting from re-enlistment, under the provisions of this circular, will be regularly mustered out of service on the prescribed muster-out rolls. The discharges prescribed by paragraph 79, Mustering Regulations, will be furnished in all cases. A remark will be made on the muster-out rolls, over the signature of the commissary or assistant commissary of musters, as follows: "Discharged from the six-months' service by virtue of re-enlistment for three years or the war, under authority from the War Department, 1863."

RE-ENLISTMENTS AND REMUSTERS.

5. Simultaneously with the muster out and discharge, but of the date next following it, the six-months' troops will be formally remustered into the U. S. service "for three years or during the war."

This will be done on the prescribed muster-in rolls (muster and descriptive roll of recruits). These rolls will be made out from the re-enlistments and descriptive lists of the men. (See section 4 of this paragraph.) The following remark will be made on the muster-in rolls, over the signature of the commissary or assistant commissary of musters: "Remustered from six-months' service for three years or the war, under authority from the War Department, 1863."

6. Regimental, battalion, or company commanders, under the direction of their immediate superior commanders, will select and appoint a recruiting officer for their respective commands, and charge him with the re-enlistment of the men thereof. The re-enlistments will be made in duplicate, and on the blank for "Volunteer enlistment." A descriptive roll of the men will be made out at the same time. The duplicate re-enlistments and descriptive roll will be forwarded or taken by the recruiting officer to the commissary or assistant commissary of musters who may be in charge of the musters for the organization to which the men belong. The mustering officer will countersign the re-enlistment papers and file the descriptive roll with the records of his office. One copy of the re-enlistment will be delivered by the mustering officer to the paymaster to assist him in the examination and verification of the accounts; this copy will be forwarded with the said accounts to the proper accounting officer of the Treasury. The second copy of the re-enlistment will be returned by the mustering officer to the regimental commander, and by him forwarded to the Adjutant-General of the Army with the monthly recruiting return required by paragraph 919, Army Regulations, from superintendents of regimental recruiting service.

BOUNTIES AND ADVANCED PAY.

6. To the men accepted and enlisted as herein required, one month's pay in advance, and in addition a bounty amounting to $300 shall be paid as follows:

1. When the companies are reorganized, muster-in rolls made out, and the mustering officer's certificate given thereto, one month's pay in advance...	$18
First installment of bounty	60
Total payment upon remustering of company	78
(To be paid in cash, or checks for transmittal, in whole or in part, as the recruit may desire.)	
2. At the first regular pay-day, or two months after muster-in, an additional installment of bounty will be paid	40
3. At the first regular pay-day, after six-months' service, in addition to his pay he shall be paid an additional installment of bounty	40
4. At the first regular pay-day, after the end of the first year's service, in addition to his pay an additional installment of bounty will be paid	40
5. At the first regular pay-day, after eighteen months' service, in addition to his pay an additional installment of bounty will be paid	40
6. At the first regular pay-day, after two years' service, in addition to his pay an additional installment of bounty will be paid	40
7. At the expiration of three years' service, or to any soldier who may be honorably discharged after two years' service, the remainder of the bounty will be paid	40

If the Government shall not require these troops for the full period of three years, and they shall be mustered honorably out of the service before the expiration of their term of enlistment, they shall receive, upon being mustered out, the whole amount of bounty remaining unpaid, the same as if the full term had been served. The

legal heirs of recruits who die in service shall be entitled to receive the whole bounty remaining unpaid at the time of the soldier's death.

7. The Pay Department of the Army is hereby charged with all payments (final dues under original enlistments, advanced pay, and bounties) of the troops discharged and remustered as directed in this order. The final payments under the original enlistments will be made on the muster-out rolls.

The amount of the total payment on remuster will be made in accordance with the general principles set forth in General Orders, No. 163, current series. Consolidated receipt rolls, referred to in the said order, will be certified to by the commissary or assistant commissary of musters charged with the remuster of the veteran volunteers into service. The payments on discharge, and those due on remuster, will be made at the same time, and in full, immediately after the men are remustered into the service.

II. Commanders of armies and departments are hereby charged with the faithful execution of this order, and will issue such instructions under it as in their opinion will best secure the object in view. Troops to be discharged and remustered will be reported by the proper commanders, through Army or Department Headquarters, to the Paymaster-General. The reports will be made at a date such as will avoid delay in the payments being made.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

STATE OF NEW HAMPSHIRE, EXECUTIVE DEPARTMENT,
Concord, December 23, 1863.

Col. JAMES B. FRY,
Provost-Marshal-General, Washington, D. C.:

SIR: I have the honor to acknowledge the reception of your telegram of the 14th instant stating that my letter of the 12th instant was not sufficiently definite for full action, soliciting a reply, and requesting me to be more explicit, &c.

In answer, allow me to say, in the first place, I have no complaints to make against the General Government, for it is my honest conviction that they have endeavored to co-operate with me and the State authorities generally in carrying out all proper measures to facilitate enlistments.

In your letter of the 23d of September last, addressed to Maj. O. A. Mack (a copy of which was sent me), you say:

> The experience of the State officers in recruiting volunteers will doubtless enable them to suggest to you those men heretofore connected with the recruiting service who will be best qualified to carry out the views of the Department in this particular. On this point I desire you to be careful to secure and give consideration to the views of the Governor and his adjutant-general.

Also, in your letter of the 10th of November last, written to General Hinks (a copy of which I have before me), you say:

> You will co-operate fully with the State authorities in carrying out whatever they may consider advisable to secure the filling of their quota.

Again, in your letter of the 10th of November last, addressed to General Hinks, you say:

> In filling the quota of volunteers called for by the President's proclamation of October 17, 1863, it is the desire of this Bureau that the Governors of States from which troops are required shall take the leading part in the work.

Now, instead of having a leading or even a subordinate part in his matter, I have never been consulted, and what I complain of is hat General Hinks does not carry out the wishes and instructions of he General Government in this particular.

I am not consulted, nor do I know anything in relation to recruiting n New Hampshire only what I hear indirectly. I am obliged to act ithout regard to the officers stationed here, and have sustained aptain Colby in the effort he has made to further my wishes and ecruit men. For instance, at the time of removal of Henry F. Richmond, commissioner for this district, Samuel Upton, of Manchester, as appointed as his successor without even consulting me, nor have as yet been officially notified of his appointment. I entertain none ut the kindest of feelings toward Mr. Upton; still his appointment oes not tend to conciliate the different elements in this district, and n some respects it is the most objectionable one that could have been ade. Again, I wrote the Department asking that Surgeon Thayer be etailed for the purpose of opening a new recruiting office at Portsouth in the First Congressional District, but I learn indirectly that day or two since a general recruiting office was opened in this the econd District instead of the First, where nearly all the complaints ave arisen. In opening another recruiting office in the Second District the remedy sought cannot be obtained, and the wishes of the itizens of the First District, as well as my own, are not carried out.

In your letter of the 11th instant you say:

> I believe the only power the Government now reserves in the matter of raising he volunteers called for from New Hampshire is to muster them in and pay hem.

Am I not to understand from the above that I have the power to ecruit volunteers in my own way (regardless of other authorities) revious to mustering? In regard to Captain Colby, I have to say, s I have stated in my former letter, that he is a good officer, has een Governor of our State, and is popular with the people, especially f the Second District, who feel that they have just reason to be satisfied with him for the efficient manner in which he has conducted the usiness of his office, so that their quota under the last call is now ithin less than 200 of being filled; that he has managed the somehat delicate duties of his office, in a district where nearly one-half of he voters are bitterly hostile to the war, so as to cause little or no issatisfaction is a fact that is generally conceded here. That there re certain politicians in the district who are pursuing Captain Colby n account of some matters growing out of our local politics, which ave nothing to do with the position he holds and with which I ill not trouble your department, I know to be true. I should be orry, however, to believe that General Hinks has allowed himself to e prejudiced by any of these sinister influences, though he seems ompletely to have ignored the State authorities and to have thrown imself into the hands of a self-constituted clique of political wire-ullers with whom the people have no sympathy. At all events, for ome reason or other the general has undertaken to exercise a supervision over the internal management of Captain Colby's office in a anner particularly offensive. For instance, on the 28th of Novemer last an order was issued to Captain Colby directing that "a greater egree of discipline must be enforced in his office; that the room conecting the office with the clothing room and examining room must t all times be cleared," &c.; that "a room will be set apart in which

all persons having business with you may see you, or your representative, without intruding into or passing through the rooms set apart for the use of the employés of the office;" that "loud conversation and discussions will not be permitted in the rooms appertaining to your (his) office," &c. Now, these regulations may all be very well, but the provost-marshal supposed that he had something to do in regard to the mode of conducting the business in his office and in managing its details. He supposed that he was quite competent to decide when and how and in what room persons having business with him could see him without impertinent direction from any one. Of course, when twenty or thirty recruits daily, and on some days more than this, are being put in with selectmen and agents of towns present looking after their various interests, some "noise and confusion" must necessarily ensue; but the result at his office shows that its legitimate business has not on this account been retarded; and the provost-marshal himself, being the person most annoyed by any "loud conversation" or other noise in his rooms, felt that he might very properly be the judge as to how far this should be allowed, especially as he knew quite as well as officers from without the State what common courtesy and the temper of our people required. Governor Colby is a gentleman of education and experience, and would naturally feel annoyed at any ostentatious display of authority over him in matters about which he knew quite as much as those undertaking to supervise him. Again, on the 7th instant, on account of a slight variance between the muster-rolls and the weekly and tri-monthly reports of the provost-marshal, the muster-rolls showing 543 men and the weekly and tri-monthly showing but 542—an error that required but a few moments' time to correct—an order was issued by General Hinks to the provost-marshal suspending all recruiting, and this at a time when the office was full of recruits, and the towns by their agents in waiting, anxious that their quotas should be filled as speedily as possible. This was the particular order that occasioned my first dispatch to you asking that the business of recruiting might not be interfered with by unnecessary orders when the Government and the loyal people of our State and the provost-marshal were straining every nerve to obey the call of the President and fill our quota before the 5th of January. I have no personal hostility to General Hinks. I do not know that it is necessary that he should be removed; I only ask that he be required to consult and co-operate with me as Governor of the State, as is the evident intention of the General Government that he should. I desire that we may be allowed to exercise a small degree of common sense in the matter of raising our men, and not have the business retarded by the officiousness of any one. I would also add here that Maj. O. A. Mack, while acting assistant provost-marshal for this State, ever made it a rule to consult and co-operate with the State authorities in the matter of raising men, never giving occasion for complaints, but treating all in a courteous and gentlemanlike manner.

In conclusion, permit me to add that I have used my utmost exertions to have our State respond to the calls of the Government for her share of the troops necessary to put down this accursed rebellion. Whether interfered with or not, whether consulted or not, I shall relax no efforts, and I know that there are loyal people enough in New Hampshire to co-operate with me, so that from this State, if from no other, every man required by the Government shall be forthcoming.

Hoping, my dear sir, that I have made my answer to your telegram sufficiently plain and explicit,

I have the honor to be, very truly, your obedient servant,

J. A. GILMORE.

P. S.—I hope the result of this letter will be to prevent in future a repetition of official conduct similar to that of which I now complain. If persisted in, it will necessarily require a public explanation, which I should regret to make, although fully believing it would meet the entire approbation of all the citizens of our State.

J. A. GILMORE.

P. S.—It affords me great pleasure to inform you that our quota in this district (second) now lacks only about 100 of being filled.

J. A. GILMORE.

CIRCULAR.] WAR DEPT., ADJUTANT-GENERAL'S OFFICE,
Washington, December 24, 1863.

A law has been passed to the effect that no bounties, except such as are now provided by law, shall be paid to any persons entitled after the 5th of January next. The only bounty provided by law is the $100 authorized by act of Congress, promulgated in General Orders, No. 49, series of 1861, from this office.

Bounties will be paid in accordance with existing orders to recruits who enlist before January 5, inclusive, for any three-year organization in service or authorized by the War Department and in process of completion.

Furnish the Governor with a copy of this immediately. Acknowledge receipt.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant-Adjutant-General.

(Sent by telegram to all mustering and disbursing officers.)

WASHINGTON, D. C., *December 24, 1863.*

Hon. EDWIN M. STANTON,
Secretary of War, Washington, D. C.:

SIR: A communication from the War Department, dated November 11, calling for a report of the result of my operations thus far in organizing colored troops, was received at Vicksburg, Miss., on the 2d instant. I should have replied to it at an earlier date, but owing to the vast extent of country over which the troops of African descent are stationed it required considerable time to visit the representative posts on the Mississippi River and to take the necessary steps to obtain reports from the different commanders showing the exact condition and strength of each regiment or detachment. I am now enabled to report the result of my operations up to the time of my leaving the Southwest on the 17th instant, and submit the following

statement of the aggregate of each regiment in each branch of the service organized by me since the 1st of April, 1863:

Regiments or companies.	Aggregate strength.	Regiments or companies.	Aggregate strength.
1st Mississippi Cavalry	425	9th Louisiana Infantry	1,010
1st Louisiana Cavalry	400	10th Louisiana Infantry	797
		11th Louisiana Infantry	542
Total cavalry	825	12th Louisiana Infantry	559
		1st Tennessee Infantry	747
1st Tennessee Heavy Artillery	1,153	2d Tennessee Infantry	853
2d Tennessee Heavy Artillery	878	1st Iowa Infantry	967
1st Mississippi Heavy Artillery	644	1st Mississippi Infantry	440
2d Mississippi Heavy Artillery	1,008	2d Mississippi Infantry	568
1st Alabama Heavy Artillery	469	3d Mississippi Infantry	599
1st, 2d, and 3d Louisiana Batteries	266	4th Mississippi Infantry (organizing)	175
Memphis Light Battery	99	6th Mississippi Infantry	750
		1st Alabama Infantry	943
Total artillery	4,517	2d Alabama Infantry	950
		1st Missouri Infantry	985
1st Arkansas Infantry	647	2d Missouri Infantry	475
2d Arkansas Infantry	579	Liberia Guards (infantry)	96
3d Arkansas Infantry	812		
4th Arkansas Infantry	310	Total infantry	15,458
7th Louisiana Infantry	1,000		
8th Louisiana Infantry	699	Grand total	20,800

The above exhibits the exact strength of the regiments as shown in the last returns of the same, and shows a deficit of several thousand from the numbers originally organized. Probably 5,000 who belonged to the above regiments have either died of disease, been captured by the enemy, or have become lost to the service by other casualties. Several thousand have had to be rejected before muster on account of disease and malformation. The number of desertions have been few.

The majority of the freedmen manifest a partiality for the military service, and are undoubtedly happy and contented in their position in the Army. In estimating the number of colored troops organized at different points in the South and Southwest, it must be taken into consideration that I have had great difficulties to contend with, more especially from the fact that whenever it has been practicable the rebels have run off the slaves to Texas, Georgia, and other points at present beyond our reach. The statement given above of the troops raised does not include those mustered into service in the Department of the Gulf, numbering, probably, from 15,000 to 17,000, all of whom were organized under the direction of Major-Generals Banks and Butler. Neither does it include those raised by Major Stearns in East Tennessee. Of these it is understood there are two full regiments and two others in course of organization. I expect very soon to proceed to Nashville and points covered by Major-General Grant's army and give my personal attention to the organization of colored troops in that section of the country. It is to be presumed that as our armies advance the number of our colored organizations will be largely increased.

The sanitary condition of the colored troops has materially improved of late. As far as practicable all the men have been comfortably quartered in log huts, and in many instances in comfortable buildings. Every care has been taken to render them efficient as soldiers, and with success. In nearly every instance the officers appointed over them have been found capable of filling their positions with

credit. When found unfitted, their appointments have invariably been revoked.

I have now in course of organization two regiments of cavalry, both of which are advancing toward completion, even more rapidly than I anticipated. Owing to the scarcity of horses these men have been mounted on mules captured and taken possession of by our troops. The First Mississippi Cavalry, of African descent, have already proved their efficiency in that branch of the service, 150 having recently defeated 300 of the rebels in a conflict near Vicksburg.

Under competent officers regiments of infantry are in process of formation in addition to those already enumerated. In Missouri recruiting has been successfully carried on within the last few weeks, and it is anticipated that the State will furnish its full proportion of colored troops. Four more regiments will at once be raised there in addition to those already organized. I propose to continue the organization of both heavy and light artillery troops, in both of which arms of the service the colored men prove themselves well qualified.

The organization of troops of African descent in the valley of the Mississippi has been accomplished at little or no expense to the Government. No officer has been mustered into the service until his company, battalion, or regiment has been raised. None but intelligent officers and enlisted men from the regular and volunteer service have been detached from their regiments for the purpose of raising colored troops. All have worked faithfully in the cause, and if not quite as successfully as might have been anticipated, it has not been for the want of perseverance.

I have the honor to be, very respectfully, your obedient servant,

L. THOMAS,
Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., December 25, 1863.

Hon. E. M. STANTON,
Secretary of War:

SIR: I have the honor to give below a resolution adopted by the U. S. Senate, and to report on the same for your information:

"THE ENROLLMENT OF NEGROES IN SLAVE STATES."

Mr. Wilson offered the following, which was agreed to:

Resolved, That the Secretary of War be directed to inform the Senate whether persons held to service or labor by the laws of Delaware, Maryland, West Virginia, Kentucky, and Missouri have been enrolled according to the provisions of the act for calling out the national forces, and for other purposes, approved March 3, 1863, and if not, why such enrollment has not been made.

The resolution is understood to refer to negroes held as slaves.

In answer to the two inquiries, whether they "have been enrolled according to the provisions of the 'act for calling out the national forces, and for other purposes,' approved March 3, 1863, and if not, why such enrollment has not been made," I would respectfully state as follows:

First. They have not been enrolled under the act referred to.

Second. The act directs only the enrollment of "able-bodied male citizens of the United States and persons of foreign birth who have declared on oath their intention of becoming citizens." When the

subject was officially brought to your notice you directed that slaves should not be enrolled, considering, I suppose, that the law did not intend to include slaves among the persons to be enrolled.

Difficulty and bloodshed attended the enrollment of white men in some of the free States, and the enrollment of free negroes in the border (slave) States was conducted in some instances at the imminent risk of local civil war. To have attempted the enrollment of slaves under a law which did not authorize it would, at the time when it must have been done, probably have produced evils which cannot now be calculated, and could not under any circumstances have added materially to the strength of the Army.

I have the honor to be, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., December 25, 1863.

Hon. EDWIN M. STANTON,
Secretary of War:

SIR: The subject of bounties, as at present offered, has become one of interest. I desire, therefore, to record certain facts connected with it.

The act of July 22, 1861, provides that $100 bounty shall be paid to all men who enlist voluntarily, and the enrollment act provides that the same shall be paid to drafted men and substitutes.

The enrollment act further provides that drafted men may be exempt from service by paying to the Government a sum of money not exceeding $300, which sum (fixed at $300) the law requires shall be expended to procure substitutes. It is clearly legal, therefore, to offer $400 to a man to enlist as a substitute; and there is no difference, except in the terms used, between offering a man $100 bounty and $300 commutation money to enlist as a substitute and offering $400 bounty as a recruit. Upon these laws and facts, as you are aware, the orders offering $300 bounty to raw recruits for old regiments and $400 for veterans were based. When these orders were published it was not possible to tell whether the commutation money from the draft would or would not pay all the recruits (or substitutes) who might offer—neither the amount of money to be received nor the number of recruits who would offer could be foreseen. It is proper to state, however, that for one I hoped that there would be more recruits than money, feeling assured that the desire of all friends of the Government was to preserve and re-enforce the present Army, and that if the men were obtained, engagements thus contracted in accordance with the laws cited would be provided for by appropriations if the commutation money proved insufficient. On this point I was reassured by members of Congress, and before any order on this subject was presented for your consideration, or broached in any other way, to my knowledge, than in some rough notes of my own, the Hon. Henry Wilson, U. S. Senate, suggested to me the propriety and advantage of offering in advance as a bounty to recruits the money which was expected from the draft.

The right to use the money to procure recruits being clear, the orders only announced to whom and the manner in which it would be paid; and on this point care was taken to promise the payments in installments running through three years, so that if the commutation

money was insufficient on account of success in raising a large number of men, the burdens on the Treasury would be distributed through so long a time as to be light.

This system and the orders establishing it were very maturely considered and discussed by the Secretary of War, General Halleck, Colonel Fry, Colonel Townsend, General Meigs, Colonel Hardie, and Major Vincent. The subject was discussed also with the Secretary of State and Secretary of the Treasury. The Secretary of the Treasury upon one occasion suggested that the commutation money should be distributed among the drafted men who might serve in person.

Recruiting under the present system is just now in full operation, and if it had been permitted to continue a few weeks longer, instead of being checked after the 5th of January by law lately passed, a large proportion of the troops whose terms expire next spring, summer, and fall would have been re-enlisted for three years or the war, and some States and many districts would have furnished in addition their full quota under the President's call of October 17 for 300,000 recruits for old regiments. As it is, some enlistments and re-enlistments will be obtained before the date fixed. All the bounties expended under the present call to secure the re-enlistment of veterans and the enlistment of recruits for veteran regiments would probably be eventually saved by the influence of such troops in shortening the war and eventually reducing the expenditures of the Government.

In my official report (extract herewith) I have stated how the commutation money has been received, deposited, accounted for, and disbursed, and submitted a return showing the condition of it;* and in my letters to you of the 15th instant (copies herewith †), the formula in relation to turning this money into the Treasury, and the letter commenting upon an extract from the report of the Secretary of the Treasury, I have stated that this money has been disposed of in accordance with law and with the views of the Secretary of the Treasury, as he expressed them in an interview between him and yourself for the purpose of considering this subject and at which I was present.

I am not aware that any financial operations connected with the raising of troops have been commenced or carried on in opposition to the views of the Secretary of the Treasury. The resolution lately passed requiring the money from the draft to be deposited in the Treasury and held as a special deposit for the draft, &c., was presented to him by me and he objected to that part of it requiring the money to go in as a special deposit, and in transmitting the draft of the resolution to the Military Committee of the Senate I marked clearly the part to which he objected, and in a letter to the chairman of the Military Committee informed him that the Secretary of the Treasury objected to that part of the resolution.

I have the honor to be, sir, very respectfully, your obedient servant,

JAMES B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT,
Washington City, December 26, 1863.

Brigadier-General MEIGS,
Quartermaster-General, Nashville and Chattanooga:

The operations of the active armies in the West being now suspended, your presence here will, in my judgment, be more advan-

* See p. 1046. † See pp. 1170, 1171.

tageous to the service than any personal duty elsewhere. You will therefore return immediately to Washington and take charge of your Bureau. You will acknowledge the receipt of this telegram.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., December 27, 1863.

Hon. J. W. NESMITH,
U. S. Senate:

SIR: There having been many complaints made against the list of disqualifications which should exempt men from draft, published for the guidance of the Provost-Marshal-General's Department, under the clause of the enrollment act requiring men to be rejected who are physically or mentally unfit for the service, the Secretary of War desires your aid as a member of a commission, during the existing recess of Congress, to whom he will refer the present regulations on the subject, that he may receive the benefit of your advice as to their revision. The Secretary would be glad to have the Commission meet, if practicable, on Tuesday evening, the 29th instant, at 8 o'clock, at the War Department.

Will you please signify in person, or by a note addressed to me, whether it will suit your convenience to attend?

I have the honor, &c.,

E. D. TOWNSEND,
Assistant Adjutant-General.

(Same to Hon. William Sprague, U. S. Senate; Hon. H. S. Lane, U. S. Senate; Hon. E. D. Morgan, U. S. Senate; Hon. Henry Wilson, U. S. Senate; Hon. J. M. Howard, U. S. Senate; Hon. B. Gratz Brown, U. S. Senate; Hon. R. C. Schenck, House of Representatives; Hon. George H. Yeaman, House of Representatives; Hon. Benjamin F. Loan, House of Representatives; Hon. H. C. Deming, House of Representatives; Hon. J. F. Farnsworth, House of Representatives; Hon. James A. Garfield, House of Representatives; Hon. M. F. Odell, House of Representatives; Hon. F. W. Kellogg, House of Representatives; Hon. A. McAllister House of Representatives.)

GENERAL ORDERS, No. 400. } WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, December 28, 1863.

The following joint resolution by the Senate and House of Representatives of the United States of America is published for the information of all concerned:

JOINT RESOLUTION to supply, in part, deficiencies in the appropriations for the public printing and to supply deficiencies in the appropriations for bounties to volunteers.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled. That to supply deficiencies, in part, in the appropriations for the public printing, the sum of fifty thousand dollars be, and the same hereby is, appropriated, out of any money in the Treasury not otherwise appropriated.

That the sum of twenty millions of dollars, or so much thereof as may be required, be, and the same is hereby, appropriated for the payment of bounties and advance pay: *Provided*, That no bounties except such as are now provided by law shall be paid to any persons enlisted after the fifth day of January next.

SEC. 2. *And be it further resolved*, That the money paid by drafted persons under the "Act for enrolling and calling out the national forces, and for other purposes," approved third March, eighteen hundred and sixty-three, shall be paid into the Treasury of the United States, and shall be drawn out on requisitions, as in the case of other public moneys; and the money so paid shall be kept in the Treasury as a special deposit, applicable only to the expenses of draft and for the procuration of substitutes; for these purposes it is hereby appropriated.

Approved December 23, 1863.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CHATTANOOGA, *December 28, 1863.*

Hon. E. M. STANTON,
Secretary of War:

Your dispatch received this moment, 5 p. m. of the 28th. I will start at once for Washington.

Respectfully, your obedient servant,

M. C. MEIGS.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., December 28, 1863.

Maj. J. W. T. GARDINER,
Actg. Asst. Provost-Marshal-General, Augusta, Me.:

It is the intention in making the next draft to give credit to each sub-district—that is, each town, county, or ward, as the case may be—for all its drafted men held to service under late draft, whether they served in person, furnished substitutes, or paid commutation, and also to give them credit for all volunteers they may have furnished since the draft, and which have not been credited on the draft. As evidence of what each State, district, or sub-district is to be credited with, the muster-in rolls and reports furnished by you are to be taken.

It is therefore of the first importance that you see to the prompt and accurate preparation of these records. Where men have enlisted at large and cannot be credited to particular districts or sub-districts, you must establish the fact that they cannot be credited to any particular place, and secure the concurrence of the State authorities in your decision on this point. If the number of men held to service in the late draft in each sub-district as now established have not been reported to this office, see that the reports are made at once. Acknowledge receipt.

JAMES B. FRY,
Provost-Marshal-General.

(Similar dispatch to Brigadier-General Hinks, New Hampshire; Brigadier-General Pitcher, Vermont; Major Clarke, Massachusetts; Captain Silvey, Rhode Island; Major Perkins, Connecticut; Brigadier-General Hays, Major Townsend, and Major Diven, New York; Lieutenant-Colonel Buchanan, New Jersey, Major Gilbert and Lieutenant-Colonel Bomford, Pennsylvania; Major Jeffries, Maryland; Colonel Parrott, Ohio; Major Sidell, Kentucky; Colonel Baker, Indiana; Lieutenant-Colonel Oakes, Illinois; Colonel Alexander, Missouri; Major Duncan, Iowa; Lieutenant-Colonel Hill, Michigan; Lieutenant-Colonel Lovell, Wisconsin; Captain Saunders, Minnesota; Lieutenant-Colonel Darr, West Virginia; Captain Clarke, Kansas.)

ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., December 28, 1863.

His Excellency JOHN A. ANDREW,
Boston, Mass.:

SIR: The Secretary of War directs me to inform you that all men enlisted in volunteer organizations from Massachusetts for the unexpired term of service of the regiment, pursuant to his telegram of July 21, 1862, will be mustered out of service and discharged with the regiments to which they belong. It is of course unnecessary to add that this rule is not now in force.

I have the honor to be, sir, your obedient servant,

SAMUEL BRECK,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., December 28, 1863.

His Excellency GOVERNOR OF RHODE ISLAND,
Providence, R. I.:

SIR: I have respectfully to acknowledge the receipt of your letter of December 21, 1863, asking that you be authorized to raise a regiment of colored cavalry, and in reply thereto am directed to inform you that your request cannot be granted. It is thought that the interests of the service would not be promoted by a compliance with your request.

I have the honor to be, &c.,

C. W. FOSTER,
Assistant Adjutant-General.

[DECEMBER 28, 1863.—For Hurlbut to Grant in relation to impressment of citizens into the military service, see Series I, Vol. XXXI, Part III, p. 522.]

INDIANAPOLIS, *December 30, 1863.*

Col. JAS. B. FRY,
Provost-Marshal-General:

Advices from the Army of the Cumberland show that, owing to delays and difficulties in mustering and furloughing, its spirit of re-enlistment among the men is fast dying out. The men know that after field operations shall have opened in the spring they cannot be spared, and are becoming satisfied they will not be furloughed this winter. I fear the golden opportunity of re-enlisting the army, growing out of their desire to return home, will be lost. The commanding officers in the field have had armies furnished to them and know but little of the difficulties in creating them.

My apology for troubling you with this is the great anxiety I feel on the subject.

O. P. MORTON,
Governor of Indiana.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, December 30, 1863.

ADJUTANT-GENERAL OF KENTUCKY,
Frankfort, Ky.:

SIR: I have the honor to acknowledge the receipt of your letter of the 21st instant requesting information whether the emergency men

lled into service by the Governor during the invasion of Kentucky August and September, 1862, and who served two months, will be edited to the State. In reply, I am directed to inform you that ates have not received credits for men who have served less than x months. This rule is the one which has uniformly governed. The eneral Government, therefore, cannot credit the State with the men question.

I am sir, &c.,

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPT., PROVOST-MARSHAL-GENERAL'S OFFICE,
Washington, D. C., December 30, 1863.

is Excellency HORATIO SEYMOUR,
Governor of New York, Albany, N. Y.:

SIR: I have the honor to acknowledge the receipt of your letter of ie 24th instant asking "for the official results of the enrollment in ie different States, their quotas under the call made last summer, nd the quotas under the last call for 300,000 men," and for the number of men called for since the outset of the war, and the umber which have been received by the General Government," and the dates of these calls, and the length of service required."

The current labor of the bureaus in which the reports you desire 'ould have to be prepared is so great that it is difficult to answer the uestions presented from the different States, and furnish to each he information which pertains alone to its own affairs. The general ule of the Secretary of War is therefore to answer the calls of Gov- rnors for information only so far as the information affects their espective States. Considerable time and labor would be required to nswer your inquiries, and after submitting the subject to the Secre- ary of War I am directed by him to say that he cannot direct a eparture from the general rule governing the Department in this natter, unless it shall appear that the public interests will be dvanced by his doing so. I believe you are possessed of all the nformation affecting the State of New York which would be produced y applying your general inquiries to that State and answering them ccordingly. If, however, there is anything further required relating o New York, it will be furnished.

I am, sir, very respectfully, your obedient servant,

JAS. B. FRY,
Provost-Marshal-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, December 31, 1863.

Hon. R. C. SCHENCK,
House of Representatives:

SIR: The Secretary of War requests that you will, if convenient, ttend a meeting of a commission to revise the rules published for he government of the Provost-Marshal-General's Department in ejecting drafted men, to be held in the War Department at 8 p. m. Saturday, the 2d of January.

I am, sir, &c.,

E. D. TOWNSEND,
Assistant Adjutant-General.

(Same to Hon. J. F. Farnsworth, House of Representatives; Hon. George H. Yeaman, House of Representatives; Hon. Benjamin F. Loan,

House of Representatives; Hon. Henry C. Deming, House of Representatives; Hon. A. McAllister, House of Representatives; Hon. James A. Garfield, House of Representatives; Hon. M. F. Odell, House of Representatives; Hon. F. W. Kellogg, House of Representatives; Hon. J. W. Nesmith, U. S. Senate; Hon. William Sprague, U. S. Senate; Hon. Henry Wilson, U. S. Senate; Hon. J. M. Howard, U. S. Senate; Hon. E. D. Morgan, U. S. Senate; Hon. B. Gratz Brown, U. S. Senate; Hon. H. S. Lane, U. S. Senate.)

CIRCULAR No. 106.

WAR DEPT., PROV. MAR. GENERAL'S OFFICE, *Washington, December 31, 1863.*

A sufficient number of men for the Second Battalion companies of the Invalid Corps are being received by transfer from active regiments, and the enlistment of men for this battalion will be discontinued. Hereafter only those capable of performing duty in the First Battalion companies will be enlisted in the corps.

Recruiting officers will use the utmost diligence in obtaining recruits for the First Battalion of the corps, but will be careful to select men of good character, who fulfill the required conditions.

JAMES B. FRY,
Provost-Marshal-General.

AUGUSTA, ME., *December 31, 1863.*

Hon. E. M. STANTON:

We have already volunteered two-thirds our quota, exclusive of re-enlistments in field. Sure of filling quota by little more time. Please extend time of draft in this State one month.

A. COBURN,
Governor.

Consolidated abstract from returns of the U. S. Army for December 31, 1863.

Command.	Present for duty.		Aggregate present.	Aggregate present and absent.
	Officers.	Men.		
Department of the Cumberland *a* (Thomas)	4,116	79,419	97,940	153,[illegible]
Department of the East (Dix)	295	6,090	8,014	[illegible]
Department of the Gulf (Banks)	2,290	42,101	52,431	73,[illegible]
Middle Department (Lockwood)	352	6,975	8,985	10,[illegible]
Department of the Missouri (Schofield)	1,685	38,741	50,374	66,[illegible]
Department of the Monongahela (Brooks)	31	597	633	[illegible]
Department of New Mexico (Carleton)	107	2,053	2,797	3,[illegible]
Department of the Northwest (Pope)	208	3,703	5,148	5,[illegible]
Department of the Ohio *a* (Foster)	1,793	33,879	42,537	62,[illegible]
Department of the Pacific (Wright)	259	4,032	5,647	6,[illegible]
Department (or Army) of the Potomac (Meade)	3,703	78,011	94,151	146,[illegible]
Department of the South (Gillmore)	1,039	25,100	33,506	40,[illegible]
Department of the Susquehanna (Couch)	185	2,957	3,823	4,[illegible]
Department of the Tennessee *a* (Sherman)	4,305	76,594	99,398	132,[illegible]
Department of Virginia and North Carolina (Butler)	1,330	27,640	35,092	45,[illegible]
Department of Washington (Augur)	1,039	23,040	33,905	39,[illegible]
Department of West Virginia (Kelley)	856	22,258	26,406	33,[illegible]
Total	23,593	473,190	600,787	837,[illegible]

a In the Military Division of the Mississippi under Grant. The strength of the Department of the Cumberland includes 17 officers at Grant's headquarters. The number in the military division was 10,214 officers and 189,892 men "for duty;" 289,875 "aggregate present," and 349,355 "aggregate present and absent."

Principal officials of the War Department and its bureaus from January 1 to December 31, 1863.

[Compiled from official records.]

SECRETARY OF WAR.

Edwin M. Stanton.

ASSISTANT SECRETARY OF WAR.

Peter H. Watson, to January 21, 1863 (reappointed February 3, 1863).
John Tucker, to January 21, 1863.
Christopher P. Wolcott, resigned January 23, 1863.

ADJUTANT-GENERAL.

Brig. Gen. Lorenzo Thomas.*

JUDGE-ADVOCATE-GENERAL.

Col. Joseph Holt.

INSPECTOR-GENERAL (SENIOR).

Col. Randolph B. Marcy.

QUARTERMASTER-GENERAL.

Brig. Gen. Montgomery C. Meigs.†

COMMISSARY-GENERAL OF SUBSISTENCE.

Brig. Gen. Joseph P. Taylor.

SURGEON-GENERAL.

Brig. Gen. William A. Hammond.‡

PAYMASTER-GENERAL.

Col. Timothy P. Andrews.

CHIEF OF ENGINEERS.

Brig. Gen. Joseph G. Totten.‖

CHIEF OF TOPOGRAPHICAL ENGINEERS.§

Col. Stephen H. Long.

CHIEF OF ORDNANCE.

Brig. Gen. James W. Ripley, retired September 15, 1863.
Brig. Gen. George D. Ramsay.

SIGNAL OFFICER.

Col. Albert J. Myer.¶

PROVOST-MARSHAL-GENERAL.

Col. James B. Fry, March 17, 1863.

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* On special duty from March 23, 1863, the duties of the office, in Washington, being performed by Col. Edward D. Townsend.

† On inspection duty from August, 1863. Col. Charles Thomas, Acting Quartermaster-General.

‡ On tour of inspection from September 3, 1863. During his absence the office was in charge of Col. Joseph K. Barnes.

‖ Held the rank of colonel to March 3, 1863.

§ Merged into the Corps of Engineers by act of March 3, 1863.

¶ Held the rank of major to March 3, 1863. Was relieved from duty in Signal Office November 15, 1863, by Maj. W. L. Nicodemus, Signal Corps, U. S. Army.

APPENDIX.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Saint Louis, Mo., November 25, 1863.

Maj. THOMAS M. VINCENT,
Assistant Adjutant-General, Washington, D. C.:

MAJOR: In reply to your telegram of the 23d instant, I have the honor to report the following organizations of Arkansas Volunteers as having been authorized by me, to wit:

Second Arkansas Infantry, to be raised under the supervision of Brigadier-General McNeil (by Maj. M. L. Stephenson, Tenth Illinois Cavalry), September 1, 1863, was to be rendezvoused at Springfield, Mo., subsequently changed to Fort Smith, Ark.

Third Arkansas Infantry, to be raised by W. M. Fishback, October 1, 1863, and to be rendezvoused at Little Rock, Ark.

Fourth Arkansas Infantry, to be raised by Edward J. Brooks, of Fayetteville, October 4, 1863, and to be rendezvoused at Fayetteville, Ark.

Second Arkansas Cavalry, authority granted by Colonel Phelps and confirmed to Lieut. J. E. Phelps, Third U. S. Cavalry, August 21, 1863, originally to be rendezvoused at Springfield, Mo., subsequently changed to Fort Smith.

Third Arkansas Cavalry, authority granted by Major-General Steele to Captain Ryan, Seventeenth Illinois Volunteers, confirmed November 19, 1863, to be rendezvoused at Little Rock, Ark.

In addition to the above I have unofficial information that there is in process of formation at Little Rock one regiment of infantry, authorized by General Steele.

On the 10th August, under instructions from General L. Thomas, Adjutant-General, I directed Generals Steele and McNeil to raise and organize all the colored troops to be had in their respective districts as speedily as possible. I am not informed what progress they have made in this matter.

I am, major, very respectfully, your obedient servant,

J. M. SCHOFIELD,
Major-General, Commanding.

ALTERNATE DESIGNATIONS

OF

ORGANIZATIONS MENTIONED IN THIS VOLUME.

Alternate designation in black-faced type, the official designation, reference, or State to which organization belongs follows in *italics*.

Arrick's (J. P.) Inf., *Ohio.*
Beard's (S.) Inf., *Ohio.*
Benton Cadets, Inf., *Missouri (U.).*
Berdan's (H.) Inf., *1st U. S. Vols. (S. S.).*
Brady Sharpshooters, Inf., *Michigan.*
Bright's Inf., *2d D. C. Mil.*
Brooks' (E. J.) Inf., *Arkansas (U.).*
Brown's (J. M.) Inf., *Pennsylvania.*
Cabot's (S.) Art., Heavy, *1st Mass. Batt.*
Cass County Home Guard, Cav., *Missouri (U.).*
Chandler Horse Guards, Cav., *Michigan.*
Coast Guard, Art., *Maine.*
Corps d'Afrique, *U. S. Colored Troops.*
Davis' (J. Y.) Inf., *4th D. C. Mil.*
Deems' (J. L.) Inf., *Ohio.*
Dennison Guards, Inf., *Ohio.*
Easby's (H. N.) Inf., *7th D. C. Mil.*
Eaton's (H.) Inf., *Ohio.*
Excelsior Brigade, 1st Inf., *70th N. Y.*
Excelsior Brigade, 5th Inf., *74th N. Y.*
Fishback's (W. M.) Inf., *Arkansas (U.).*
Frankle's (J.) Art., Heavy, *2d Mass.*
Frishmuth's (B.) Art., *Pennsylvania.*
Governor's Guard, Cav., *2d N. Y. (Mtd. Rifles).*
Governor's Guard, Inf., *Ohio.*
Griffith's (S. T.) Inf., *Pennsylvania.*
Griswold's Light Cav., *21st N. Y.*
Harris' (L. H.) Art. See *Knap's Art.*
Hatch's (E. A. C.) Cav., *Minnesota.*
Henderson's (J.) Inf., *Pennsylvania.*
Hewett's (J. M.) Art., *Kentucky, Batty. B.*
Hoffman Battalion, Inf., *Ohio.*
Hospital Guards, Inf., *Rhode Island.*
Irish Dragoons, Cav., *Missouri (U.).*
Irish Regiment, Inf., *35th Ind.*
Kemp's (J. R.) Inf., *Pennsylvania.*
Knap's (J. M.) Art., *Pennsylvania (Mil.).*
Lancers, U. S., *Michigan.*
Landgraeber's (C.) Art., *Missouri (U.).*
Lawrence County State Mil., Inf., *Missouri (U.).*
Liberia Guards, Inf., *4th Ark. (Col.).*
Lieb's (H.) Art., Heavy, *1st Miss., Col. (U.).*
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Metropolitan Cav., *14th N. Y.*
Middleton's (L. J.) Inf., *5th D. C. Mil.*
Milwaukee Cav., *Missouri (U.).*
Mix's New Cav., *23d N. Y. Batt.*
Oneida Cav., *New York.*
Patapsco Guards, Inf., *Maryland (U.).*
Pfeunighausen's (R. von) Art., *Missouri (U.).*
Phelps' (J. S.) Inf., *Missouri (U.).*
Philadelphia Union Art. See *B. Frishmuth's Art.*
Phillip's (W. H.) Inf., *6th D. C. Mil.*
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